Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 0 0 9 - 0 4 1 1 5 - 1 3 2 1 - 1 4 5 | Date: 2/14/09 | Time: 2217

Location: [redacted] Silva Street | City or Station: Lakewood

Bureau/Station/Facility: Lakewood Station FOR III | Admin. Investigation: YES ☐ NO ☒

Type of Force: Taser, OC spray, Control-Handcuffing, Hobble

Deputy Injury : YES ☐ NO ☒ | Suspect Injury YES ☒ NO ☐

☒ Call ☐ Observation ☐ Detail | ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: YES ☒ NO ☐ Person Notified: Lt Slawson Emp: [redacted] IAB Roll Out: YES ☒ NO ☐

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Roam	Christine	

Sex: ☐ Male ☒ Female | Race: W | Unit of Assignment: Lakewood Station FOR III | Work Assignment (Unit #, Module, etc.): 132F

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	Dilelio	Emily	

Sex: ☐ Male ☒ Female | Race: W | Unit of Assignment: Lakewood Station FOR III | Work Assignment (Unit #, Module, etc.): 132F

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☒

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	Cruz	Gerardo	

Sex: ☒ Male ☐ Female | Race: H | Unit of Assignment: Lakewood Station FOR III | Work Assignment (Unit #, Module, etc.): 134

Shift: ☒ EM ☐ Day ☐ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☐

☐ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Jobling	James		Sgt	YES ☒ NO ☐	YES ☒ NO ☐
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Waidner	Daniel	

Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

David Bly | [redacted]

Supervisor Completing Form: (**Print Name**) | Emp #: | Copy Provided to Employee by: | Emp #:

Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only

FO# 2238338

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation
0 0 9 - 0 4 1 1 5 - 1 3 2 1 - 1 4 5

Involved Employee

E 4

Employee #	Last Name	First Name	Middle Name
[redacted]	Hinojosa	Cesar	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[X] Male [ ] Female	H	Lakewood Regional Hospital	132A

Shift		Age	Height	Weight
[X] EM [ ] Day [ ] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [X]

E 5

Employee #	Last Name	First Name	Middle Name
[redacted]	Offeringa	Darrin	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[X] Male [ ] Female	W	Lakewood Regional Hospital	132W1

Shift		Age	Height	Weight
[ ] EM [ ] Day [X] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [ ]

E 6

Employee #	Last Name	First Name	Middle Name
[redacted]	Rafferty	Scott	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[X] Male [ ] Female	W	Lakewood Regional Hospital	132B

Shift		Age	Height	Weight
[X] EM [ ] Day [ ] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[ ] Male [ ] Female			

Shift		Age	Height	Weight
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[ ] Male [ ] Female			

Shift		Age	Height	Weight
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [ ]

Supervisor's Report on Use of Force
SUSPECT INFORMATION
009-04115-1321-145

Suspect Information

S 1

Last Name: Winfield | First Name: Chenard | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [X] Male [ ] Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: | Home Phone: | Age: 32 | Height: 603 | D.O.B. 09/09/76 | Weight: 350 | Armed? [ ]

Booking #: None | Primary Charge Code: | Secondary Charge Code: | Criminal History [redacted]

EMT in attendance? [X] YES [ ] NO Name: Capt Garcia | Unit: LA County Eng 45 | Phone #:

Hospital Admission? [X] | Rec'd Treatment At: Lakewood Regional Hospital | Coroner Case #: 2009-01233 | Mental History [ ]

By Doctor: Sanders | Address: 3700 E. South Street Lakewood 90712 | Phone #: 562-531-2550

Under Influence: [X] YES [ ] NO | Substance: Marijuana, alcohol, over the counter cold medicine | Mental Illness [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ]

By Doctor: | Address: | Phone #:

Under Influence: [ ] YES [ ] NO | Substance: | Mental Illness: [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ]

By Doctor: | Address: | Phone #:

Under Influence: [ ] YES [ ] NO | Substance: | Mental Illness [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
0 0 9 - 0 4 1 1 5 - 1 3 2 1 - 1 4 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Rizzio	Francine	
[redacted]	Boughter	Daniel	
[redacted]	Herrera	Michael	
[redacted]	Bronowicki	Christopher	
[redacted]	Sehdev	Nesha	
[redacted]	Marx	Jason	

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
See summary pages 4-5 for witness information.				

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation
0 0 9 - 0 4 1 1 5 - 1 3 2 1 - 1 4 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Ledwidge	Joseph	
[redacted]	Jobling	James	

Non-Employee Witnesses

Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Roam	E-1	Winfield	S-1	OC RH	DH	FA
Dilelio	E-2	Winfield	S-1	TR RH	DH	BK
Cruz	E-3	Winfield	S-1	TR	DH	BK
Hinojosa	E-4	Winfield	S-1	TR	DH	None
Offringa	E-5	Winfield	S-1	TR RH HB	DH PW	NK
Rafferty	E-6	Winfield	S-1	BC RH	DH	WR
Winfield	S-1	Roam	E-1	RS PP UC	NN	None
Winfield	S-1	Dilelio Cruz Hinojosa Offringa Rafferty	E-2 thru 6	RS UC	NN	None

INVESTIGATIVE SUMMARY
USE OF FORCE - TASER OC SPRAY
IAB CASE NUMBER FO2238338
URN NUMBER 409-04115-1321-145

On February 14, 2009, Lakewood Station Deputies Roam and Dilelio arrived in the area of Dunrobin Avenue and Silva Street in response to a "fight" call. The call indicated a naked male was fighting with people in the street.

> **IAB Note: See Exhibit "A" for a CD containing a 911 call from Mr. [redacted]. Mr. [redacted] stated a group of males and a female were fighting with a nude black man. He said he did not know or recognize the group of people. He said he heard a noise coming from outside his house and saw the group standing over the nude man who was lying on the ground. He stated the group was following the nude man who was now walking around. He said he saw deputies had arrived.**

Deputies Roam and Dilelio saw the very large Suspect (6' 3" 350 lbs.) standing completely nude in the street. The Suspect was screaming and banging on vehicles while he moved east on Silva Street from Dunrobin Avenue. Deputies Roam and Dilelio followed the Suspect, attempting to calm him, while requesting additional units. When the Suspect came to [redacted] Silva Street, he moved up the driveway toward the rear yard, breaking through the closed rear wooden gate. The deputies received information from other people in the street that the Suspect was from the Los Angeles area and did not reside at the Silva Street home. Deputies Roam and Dilelio followed the Suspect to the rear yard.

The Suspect then turned toward Deputy Roam, assumed a football-type stance, and sprinted toward her as if to tackle her. Just prior to the Suspect striking her, Deputy Dilelio deployed the Taser and almost simultaneously Deputy Roam sprayed the Suspect with Oleoresin Capsicum (OC) spray. The Suspect continued his advance and struck Deputy Roam in the shoulder, knocking her backwards. Deputy Roam was able to maintain her balance and remained on her feet. The OC spray and Taser had no apparent effect. It was later determined that both darts from Deputy Dilelio'sTaser did not make contact with the Suspect's body. The Suspect moved farther into the backyard and began thrashing about with the patio furniture and other items. The Suspect banged on windows and a back door of the house. Deputies felt the Suspect was attempting to gain entry into the house.

Several additional deputies arrived and monitored the Suspect in the rear yard. When the Suspect got to the back door of the residence, he began pounding loudly on the door.

The Suspect again moved to the rear area of the backyard, and then turned his attention toward the deputies again. Deputies Hinojosa, and Cruz deployed X-26 Tasers in an attempt to subdue the Suspect, but the Tasers had little effect. It was later determined that both darts from Deputy Hinojosa's and Deputy Cruz' Tasers did not make contact with the Suspect's body. Deputy Offringa then deployed his X-26 Taser and the Suspect fell to his knees and then to the ground. The Suspect fell face down and refused to allow deputies to handcuff him. At the direction of Sergeant Jobling, Deputy Cruz used a contact application of the Taser to the Suspect's thigh in an effort to gain his compliance and allow others to handcuff him. Deputy Rafferty used his expandable baton to pry the Suspect's hands from underneath his body to complete the handcuffing. Because the Suspect was resistive and thrashing about during handcuffing, deputies applied a hobble restraint to prevent him from kicking them. The Suspect was so large, it required three sets of handcuffs to complete the handcuffing. The deputies placed the Suspect on his side, but quickly determined he had stopped breathing.

There were no reported uses of impact weapons and the Total Appendage Restraint Procedure (TARP) was not applied.

The deputies administered cardiopulmonary resuscitation (CPR) to the Suspect until paramedics arrived. The Suspect was transported to Lakewood Regional Medical Center where he was pronounced dead at 2325 hours by Doctor Sanders.

The following summary of this incident is based on information obtained from reports, involved deputies and witness interviews, along with other documents regarding Lakewood Station file number 408-01555-0773-058 (**Exhibits A through C**).

INVOLVED PERSONNEL

ROAM, Christine, Deputy Sheriff, #[redacted]
Field Operations Region III
Lakewood Station

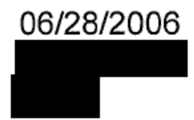
Work History

Date of Employment	10/03/2000
Date Assigned to Patrol	[redacted]
Prior Founded Force Incidents	[redacted]

DILELIO, Emily, Deputy Sheriff, #[redacted]
Field Operations Region III
Lakewood Station

Work History

Date of Employment 06/28/2006
Date Assigned to Patrol [redacted]
Prior Founded Force Incidents [redacted]

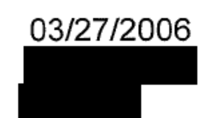


CRUZ, Gerardo, Deputy Sheriff, #[redacted]
Field Operations Region III
Lakewood Station



Work History

Date of Employment 03/27/2006
Date Assigned to Patrol [redacted]
Prior Founded Force Incidents [redacted]

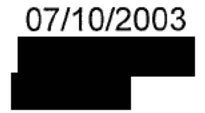


HINOJOSA, Cesar, Deputy Sheriff, #[redacted]
Field Operations Region III
Lakewood Station



Work History

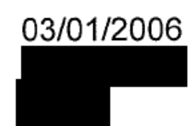
Date of Employment 07/10/2003
Date Assigned to Patrol [redacted]
Prior Founded Force Incidents [redacted]



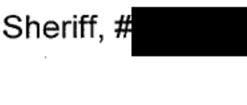
OFFRINGA, Darrin, Deputy Sheriff, #[redacted]
Field Operations Region III
Lakewood Station

Work History

Date of Employment 03/01/2006
Date Assigned to Patrol [redacted]
Prior Founded Force Incidents [redacted]

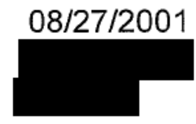


RAFFERTY, Scott, Deputy Sheriff, #[redacted]
Field Operations Region III
Lakewood Station



Work History

Date of Employment 08/27/2001
Date Assigned to Patrol [redacted]
Prior Founded Force Incidents [redacted]



SUBJECT

WINFIELD, Chenard, MB/32, DOB: 09/09/76

[redacted]

Suspect Winfield's criminal history (CCHRS) [redacted]

SWORN WITNESSES

HERRERA, Michael, Deputy Sheriff, #[redacted]

SEHDEV, Nesha, Deputy Sheriff, #[redacted]

JOBLING, James, Sergeant, #[redacted]

RIZZIO, Francine, Deputy Sheriff, #[redacted]

MARX, Jason, Deputy Sheriff, #[redacted]

BRONOWICKI, Christopher, Deputy Sheriff, #[redacted]

LEDWIDGE, Joseph, Deputy Sheriff, #[redacted]

BOUGHTER, Daniel, Deputy Sheriff, #[redacted]

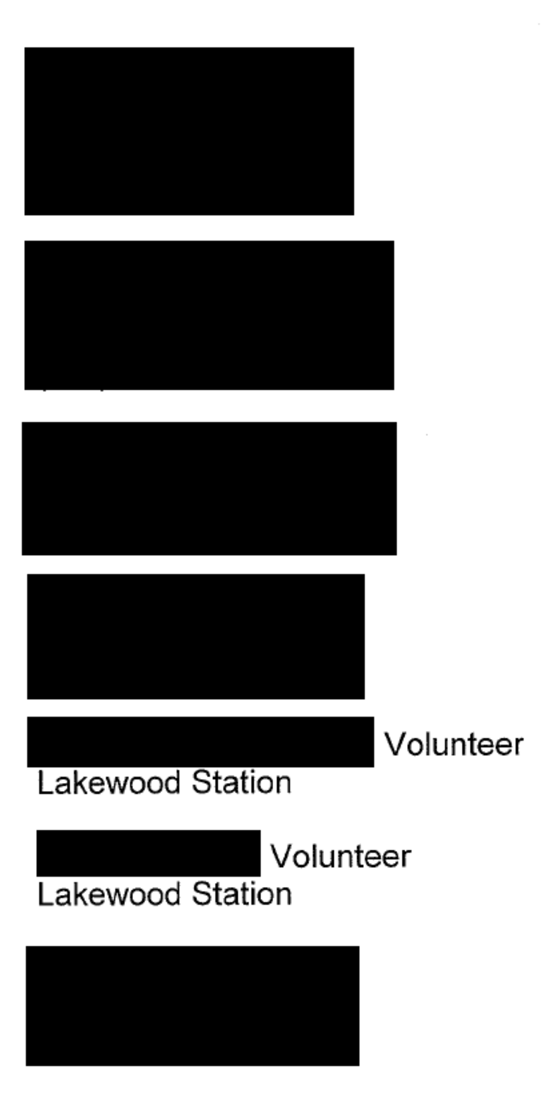
CIVILIAN WITNESSES

[redacted]
On file with Homicide Bureau

[redacted]
On file with Homicide Bureau

[redacted]





[redacted]

[redacted]

[redacted]

[redacted]

[redacted] Volunteer
Lakewood Station

[redacted] Volunteer
Lakewood Station

[redacted]

INJURIES

Suspect Winfield was transported to Lakewood Regional Hospital where he was pronounced dead at 2325 hours by Doctor Sanders.

Suspect Winfield died due to "probable effect of hypertensive heart disease, agitated behavior requiring restraint / electromuscular incapacitation device" (Taser), with the contributing condition of "morbid obesity" (6 feet 3 inches tall weighing 350 pounds).

IAB Note: See Exhibit "A",pages 108-136, for the autopsy report for further information. Additionally, note pages 128 and 129 for the toxicology report where it is noted that the Suspect had Acetaminophen, Marijuana, and Alcohol in his system. Witnesses stated the Suspect had taken "cold" medicines, smoked Marijuana, and drank Alcohol on the day of the incident.

PHYSICAL EVIDENCE

See Exhibit "B" for copy of the evidence list.

INVESTIGATOR OBSERVATIONS

IAB Investigator responded to the location and observed the scene.

A review of Dispatch 14 and L-tac radio transmissions revealed the following:

At 2220 hrs Dispatch 14: SCC broadcasted unit 132F (Deputies Roam and Dilelio) had the handle regarding five people fighting at [redacted] with unit 132T2 (Deputy Herrera) assisting. Nine seconds later unit 132F advised they were 97 at the location.

At 2221 hrs L-tac: Deputy Roam requested any Lakewood city unit to respond to their location. Unit 132T2 advised ETA 30 seconds.

At 2222 hrs Dispatch 14: Deputy Roam requested any Sam-918 unit to respond to their location.

At 2224 hrs Dispatch 14: SCC requested any Sam-918 unit to come up on dispatch 14. Lakewood unit 133E advised Sam-918B was code-6 with them on an unrelated call and he would relay to Sam-918B.

At 2226 hrs L-tac: Sam-918B advised 132F that they were unable to respond due to a pervious call. Deputy Roam advised 10-33.

At 2226 hrs Dispatch 14: Deputy Roam requested the patch and requested units to their location code-3 regarding a 918. Unit 132A (Deputy Hinojosa) responding from the Station and 133F responding in 2 minutes. Unit 130S responding code-3. Unit advised the cross streets are Del Amo Blvd and Dunrobin. Deputy Roam advised they deployed their Taser with no effect, requested a unit with a Taser. Deputy Hinojosa advised he had a Taser, Aero ETA 2-3 minutes.

At 2230 hrs Dispatch 14: Unit 132T1 advised he was 10-97 with a Taser.

At 2232 hrs Dispatch 14: Unknown unit requested that Fire roll in to the location.

At 2233 hrs Dispatch 14: Deputy Roam advised 902R. 130S advised code-4 with one in custody and needed Fire to roll in. Deputy Roam advised the Suspect was not breathing and they started CPR.

At 2242 hrs Dispatch 14: SCC advised Fire is 5 seconds away.

IAB Note: See Exhibit "A" pages 57-59 for a detailed account of radio traffic.

FORCE USED BY DEPUTY PERSONNEL

Deputy Roam: OC Spray, Control-Handcuffing

Deputy Dilelio: Taser (one activation), Control-Handcuffing

Deputy Cruz: Taser (one activation with the darts, approximately three drive stuns)

Deputy Hinojosa: Taser (darts did not contact the Suspect)

Deputy Offringa: Taser (two activations), Handcuffing, Hobble Restraint

Deputy Rafferty: Expandable Baton Control Technique

FORCE USED BY THE SUSPECT

Resistive

Assaultive: Body, Arms, and Feet

PROPERTY DAMAGE

None.

CRIMINAL INVESTIGATOR/CHARGES FILED

None

LIGHTING AND WEATHER CONDITIONS

The incident occurred during night time hours and the weather was clear and cold. There was a porch light located in the rear yard of [redacted] Silva Street that illuminated a small portion of the backyard between the back door and garage.

IAB Note: See Exhibit "C" for a pictures of the rear yard and porch light.

INVOLVED EMPLOYEE STATEMENTS

ROAM, Christine, Deputy Sheriff

Deputy Roam was interviewed by Homicide Detectives Harris and Rodriguez on February 15, 2009. She was also interviewed by IAB Sergeants David Bly and Brenda Parker on October 25, 2010 at 0906 hours. Both interviews were recorded for review and the following is a summary of those interviews.

Deputy Roam said she was working unit 132F/PM with her partner (in training), Deputy Christine Dilelio. She said she was the driver and Deputy Dilelio was the bookman. She said they were on patrol in the area of Del Amo Blvd and Dunrobin Ave when they received a disturbance fight call on Dunrobin Ave. She said, "It came out as a 415 fight on Dunrobin, and it indicated that four or five people were fighting in the -- in front of the location with a male black who was naked." She said they were very close to the location of the call and they did not have time to plan or talk about how they would approach the call. She said they arrived at the location within less than a minute from the time the call was dispatched.

Deputy Roam said, "So I turned left on Del Amo Boulevard onto Dunrobin going northbound, and immediately, even before I made the turn, I saw people in the middle of the street and realized that, you know, given the proximity of the time the call came out to where we were that those were probably the people involved.

"As we approached, I saw a very large male black, 6'3", probably 350 pounds, very big guy, completely naked. Surrounded by, seemed like four or five people -- not surrounded but they were, like, around him. One woman was holding a blanket up. Another guy seemed to be trying to talk to the guy.

"And as we were approaching northbound, approaching where they were, before we had a chance to get there, the Suspect began running southbound and then cut and ran eastbound on Silva St. He's a big guy just kind of lumbering along.

"At that point, I put my vehicle in park. I jumped out. There was one man who appeared to be primarily trying to communicate with the Suspect, Mr. [redacted], the friend who lives there. I asked him, 'What's going on?' And he said, 'My friend's having a bad trip'.

"And I'm sure I asked him something else. I'm trying to think. The Suspect continued to run and then he would stop and he would begin hitting cars, and I heard him just saying incoherent things. He was muttering things. I could make out some words that made sense. A lot of the stuff he said was just not making sense at all.

"He continued to run eastbound on Silva St., stopping from time to time at the cars, hitting the cars. I approached him trying to maintain a distance just trying to talk to him. I heard his friend calling him 'Chenard'.

"I said, What's his name, Chenard? Hey, Chenard, just calm down, buddy, you know? Have a seat. What's going on, you know? Just trying to talk him down.

"At one point he began to sit down on the curb, and I thought he was going to be cooperative, and then as he started to sit down he got up and he started moving around again. I instructed Deputy Dilelio to request a Sam 918 unit, and I got on L-tac, and I requested additional -- an additional unit and a sergeant to our location.

"At this point, he was walking away from us so I didn't feel immediately threatened by him. I was just more concerned about how large he was and how we might be able just to contain him. I didn't want him going off and possibly hurting somebody, but I wanted just to kind of keep him contained. He ran southbound across Silva St. to the location where we ended up in the backyard. I think it was [redacted]."

IAB Note: The Suspect's friends, [redacted] were trying to stop and cover the Suspect with a blanket. They were not fighting with him.

Deputy Roam said the Suspect would run into parked cars and hit and push them as he moved down the street. She said the Suspect paid no attention to them or responded to their questions. She said she did not have a Taser with her and she did not have her handgun drawn. Deputy Roam said she had her Tiger-Light flashlight (combination flashlight and OC spray dispenser) with her and Deputy Dilelio had a M-26 Taser with her as they followed the Suspect.

Deputy Roam said, "I had gleaned from the friend that he was visiting that the Suspect was from Los Angeles, that he was visiting his friends [redacted] ([redacted] Silvia Street) and -- cause I asked him, 'Where do you live?' And he pointed to that house. So the house he was going to I knew was not his house. He approached the back fence and then just kind of -- I don't know. He made a lot of racket. I thought there was a dog back there. There was so much noise. And he pushed through the gate and he went to the back."

Deputy Roam said the gate leading to the rear yard was closed and she was not sure if it had a lock on it or not.

Deputy Roam said, "I followed just to maintain a visual on him as I waited for the assisting units to arrive, and he went deep into the backyard. He -- the whole time he was walking, he was kind of -- he was clutching his hands. He would start like he was

boxing, like, doing a fighting motion. He was constantly muttering, saying things that were incoherent, and sometimes he would just like almost walk in circles. He didn't seem to be really focused on our being there, although, I felt like he was, you know, moving away from us but he didn't seem to be -- he was aware of our presence but not really focused in on that so much. It didn't seem to -- I don't know. He just was wandering in circles."

Deputy Roam said she and Deputy Dilelio followed the Suspect into the backyard to observer him. She said the Suspect was south of the gate and just west of the covered patio. Deputy Roam was just south of the gate, near the west property line block wall with Deputy Dilelio also south of the gate, and west of the Suspect.

IAB Note: See Exhibit "B" for a CSI sketch of the scene located at [redacted] Silva Street.

Deputy Roam said, "And so I was just, basically, trying to wait for our backup to get there, our sergeant to get there. And at which point he turned around at me and he, basically, lowered his shoulder and charged at me like he was, you know, on some defensive line. At that moment, I just kind of, you know, braced myself and I had my pepper spray out. Deputy Dilelio deployed the Taser. I saw that it had no affect on him. I heard it deploy. I didn't see where the prongs went. He continued charging at me and I unloaded my pepper spray on him. He still charged into me but instead of pummeling me to death like I thought he might, he just backed off and he just started walking around the backyard again."

Deputy Roam said the Suspect did make contact with her body, but not with the force she was anticipating. She said she thought the Suspect was going to harm her. She said, "Well, in just reliving that moment, I thought about the affect that my job has on my husband, and the fact that I believed in that moment that I was going to be seriously injured or killed, and that he would have to live with that. And it just, you know? As a human being, you know, when you know that the things that you do in your job can affect the people you love like that, it's emotional."

Deputy Roam said, "Basically what happened he's wandering around, I'm watching him, I'm watching him, he's just wandering aimlessly. He starts coming a little bit closer, he's not focused on me, I start just to back up just to maintain the distance, and all of a sudden he like locks on me, and that's when he takes this football stance. And, honestly, I don't know if like when he's boxing he's reliving the college days when he -- you know, I don't know what's going on in his mind. But all of a sudden like he locks on me, he takes this stance, and he just starts running at me. And at that point, you know, I had just, I had been backing up, I, uh, wasn't feeling particularly threatened until that moment. And then I realized that I had backed myself up into this corner with no where to go. There were trash cans on the ground, there was the wall to my back, and I realized at that point that I was at a serious tactical disadvantage. I had my flashlight in my hand and, at that point, you know, that's when I just kind of voided myself and

hunkered down and I thought, you know, here it comes. And, it was quite terrifying. I was expecting more. I figured this guy was going to fall on me and just start pummeling the crap out of me. I figured, you know, honestly, if he was running towards me I thought, this is the day that my husband's going to get that call, you know. I'm going to go home in, in a stretcher and a body bag and, it was. And then he, he hit me, you know, and I remember him hitting me and bracing my self and then he just wandered away, you know, and I was like, wow."

Deputy Roam said, "Yeah, she was to my right and, south of me and as he's running towards me I hear her go, "Deputy Roam", you know, kind of panicky. And then, I hear her deploy the taser and I remember thinking, good trainee. I was really happy for that. Um, but when she deployed the taser, um, it didn't -- there was no effect. It was dark and I didn't see -- I assume that the taser hit him. I mean, you know, in your mind, your perceptions, I'm assuming that it hit him and that he just muffled through it, you know, and he just continued towards me and, that's when I had my pepper spray and I just unloaded it. Uh, that was the only thing I had in my hands."

Deputy Roam said the OC caused her throat to close up a little and the OC had effected Deputy Dilelio so much she had to exit the backyard. She said, "It had effect on me in that I couldn't breath, you know. I remember going, immediately for my radio and, I had switched over to LTAC so I went, you know, 10-33, and someone says you're on LTAC. I switched over to 14 and I remember just kind of choking, having a hard time getting the radio traffic out because of the effects of the pepper spray. It was causing my throat to close up and, I remember, Deputy Dilelio yelling at me saying, 'Deputy Roam I can't see.' And so somewhere as I'm spraying, uh, Mr. Winfield I contaminated Deputy Dilelio in, in, you know, in the crossfire somehow. And, so I remember her just being panicked going, 'Deputy Roam I can't see.'" And so, at that point, I realized that, you know, I was pretty much in the fight by myself and that's when I went over the radio and I requested units code."

Deputy Roam described what happened next as quoted from her Homicide interview.

Deputy Roam said, "At that point, I got on the patch. Well, I thought I was on the patch; I was on L-tac, and I said, 10-33. Someone said, 'You're on L-tac.' I switched over to 14 and I put out that I was involved in a fight with a 918, that we had deployed the Taser and that he had -- and -- and pepper spray. I think I said pepper spray. And that it was -- there was no affect. And I requested additional units Code 3, and I requested at that point our Taser was out. I don't know if -- I don't know if we didn't have an extra cartridge or if the battery was out or what, but I realized our Taser was ineffective so I requested another Taser.'

"Also, our Taser is the M Taser which, from our training, the M Taser if someone is, like, souped up on PCP or, you know, they have -- they don't respond to pain, they can fight through the M Taser, but we're told that the X Taser overrides the central nervous system and will take someone down. So I requested a Taser and I requested a stun bag.'

"At this point, the Suspect went up on the back porch and he was just, like, walking through everything. Just making a huge racket just, like, just walking through things just knocking things over. And he went to the door and I saw him begin to pound on the door, and I thought he was gonna try to gain entry into the residence. At about that time is when I became aware that assisting units had arrived. I was also aware of about simultaneously with that, that Deputy Dilelio had been affected by the pepper spray. And so when my other assisting units arrived, I think she stepped out to try to get herself clear.'

"I saw Deputy Hinojosa -- while the Suspect was on the porch, go to the other side of the porch so like if we're on a triangle, I'm on one side; Deputy Hinojosa is on the other side and the Suspect was at the door. The Suspect turned around and walked across the yard to the back fence. The whole while I'm still trying to talk to him, you know, telling him to lay down.'

"Actually, at one point Deputy Rafferty – I remember now. Deputy Rafferty was the first one there and he didn't have a Taser. He did not have a Taser, and actually, Deputy Rafferty, when he arrived -- this was prior to the -- I'm sorry. This is a little out of sequence. This was prior to him going up on the porch. After we had Tased him and after we had pepper-sprayed him and after he was walking around, Deputy Rafferty arrived and that's when the Suspect laid down on the ground, and I thought we were gonna be able to handcuff him. I remember seeing Deputy Rafferty, like, take a step towards him like he was gonna handcuff him, and I was think anything my mind not a good idea because I seen this guy start to comply and get up again. And but before Deputy Rafferty could advance on him anymore, Suspect got up and then that's when he went to the back door. He went up on the porch and was -- seemed to me attempting to get into the house. That's when I saw Deputy Hinojosa arrive and go to the other side of the porch.'

"At that point, the Suspect -- because he was just constantly moving, constantly wandering, walked to the back fence and about that time, I saw other deputies arrive. I saw Deputy Cruz to my right. I saw Deputy Hinojosa there, Deputy Rafferty was back by me. I'm still telling the Suspect, you know, I'm trying to calm him down, trying to talk him down. And at that point, I saw him turn towards Deputy Cruz and walk towards him.'

"The whole time that he's walking and stuff, he's constantly clenching his fists and he's very agitated and moving his arms around and he turns towards Deputy Cruz and makes a step and then I hear Deputy Cruz say, 'Deploying Taser', and then Deputy Cruz fires the Taser at the Suspect. It surprised me because that (the)Taser didn't

appear to have any affect on him and it seemed to me -- and I didn't really examine Deputy Cruz's Taser -- but I thought he was holding an X Taser and I expected that, that would have taken care of the guy.'

"The Suspect then turned away from Deputy Cruz and walked towards Deputy Hinojosa. Deputy Hinojosa deployed his Taser and the Suspect was still standing and moving and Deputy Offringa, who was standing seemed in proximity to Deputy Hinojosa, deployed his Taser. At which point, I saw the Suspect go down to his knees and then he went down on the ground.'

"As soon as he went down, I told everybody, we got to get handcuffs on him, because I was concerned that once the effects of the Taser wore off that he would just come up fighting and we would be back in square one again with someone who is not being, you know, who presents a huge risk because of his size and his -- just the way he's presenting himself. He's being uncooperative, unpredictable. So I wanted to get handcuffs on him.'

"So we went and approached him, and he pulled his hands up under his body, and he had his fists clenched and he had his elbows pulled in tight under his chest. And I was yelling at him, you know, let it -- Give us your hands. 'Give us your hands. Stop resisting,' and I was trying to pull his arm out. I could not because he was so rigid. So Deputy Rafferty, who already had his expandable baton ready, used his expandable baton and he used it for leverage to pull his left arm out from under his body. And as he did, I put the handcuff on him.'

"He's a big guy. It was a little bit of a struggle to get the handcuff on him. Once we got the handcuff on him, then I held the handcuff behind his back. And I didn't get the handcuff on by myself. I was struggling and there were other hands in there trying to help me get the handcuff on him. Once we had the handcuff there, then I saw my partners trying to get his right arm. He was still resisting. Deputy Rafferty, again, used his expandable baton to wedge the arm -- excuse me -- away. He was constantly resisting, moving his body back and forth. We managed to get his arm back.'

"I think we used, if I'm not mistaken, we used three handcuffs on him. We had one handcuff on his right arm, one on his left arm, and then we used a third one to bridge it because he was so large and we couldn't get his arms behind his back.'

"Once we had handcuffs on him, I remembered Deputy Offringa saying, 'Who has a hobble?' We were trying to find a hobble. And at which point I realized he was no longer fighting us. He was no longer moving from side to side. And at first I thought he just gave up, we just overwhelmed him and he gave up. And then we turned him to his side and said, you know, 'See if he's breathing.' We tried to find a pulse and we determined that he was, in fact, not breathing. So we turned him over and we immediately started CPR.'

"It was no small feat to get him rolled over. At that point, he was very large and a dead weight and we're wedged in the corner of the backyard there and we are, you know, we had to get him pulled over.'

"Deputy Cruz began compressions. Deputy Dilelio, I don't know where she got her mask, but I don't know if someone handed it to her or what, but she started with the breathing. They did that for a while and then they switched out, and I believe -- I could be wrong -- I think Deputy Marks took over the compressions and then Deputy Hinojosa took over giving the breaths.'

"As soon as we began CPR, we got on the radio and I remember hearing Deputy Offringa saying something about requesting 902R. I think I announced that we were beginning CPR. It was at that point it was just a blur, and I can't until we review the voice print or whatever, I couldn't tell you exactly, but I'm aware of all these different things that are going on simultaneously. And we continued CPR until Fire got there. And it seemed like it took them a very long time."

Deputy Roam said when they first saw the group of people and the Suspect on Dunrobin, she felt the Suspect was avoiding her because he started moving east on Silva Street. She said they did not chase or pursue the Suspect and they were trying to gather information.

Deputy Roam said, "As he started eastbound, they were following him. They were, like, trailing him. So he was ahead of us. They were approaching us, and that's when I was, like, you know, 'What's going on? What's wrong with him?' I didn't know if he was a mentally ill person who was off his medication. I didn't know if this was some kind of drug-induced. I didn't know is this normal? Are they used to dealing with him like this? Is this abnormal? So I was trying to get a little bit of information. I asked -- I -- I was, you know, and as we're kind of like following him down the street, I'm asking, you know, I'm kind of having a running dialogue with his friend trying to elicit more information so that I understand exactly what's going on. And I think I asked, you know, 'Where does he live,' or what -- and somehow -- and it's just a blur, but somewhere along there it came out that the friend lived there and that he was -- he said something about, 'He's just visiting me from LA today'."

Deputy Roam described the Suspect's demeanor. She said, "That he -- it was drug-related. That he was on drugs, possibly PCP or something that was making him act out that way, that this was unusual behavior. Just based on my training and experience knowing what PCP does, you know? I don't see people acting like that when they're on "meth" or smoking marijuana, you know? The taking off the clothes, the blank stare, the running around, all of that was indicative to me of someone who was on PCP. He was just wandering around and like I said, hitting cars and muttering incoherently and just kind of staring ahead. He appeared that he might be somewhat aware of our presence but he wasn't looking at us, not making eye contact with us."

Deputy Roam said she tried to calm the Suspect by telling him to calm down and have a seat. She said as the Suspect moved east on Silva, he was making incoherent sounds and it appeared he was talking to himself. She said, "He was constantly muttering and speaking incoherently. I mean, he was, like, just constantly talking but not -- he was not addressing me, no."

Deputy Roam said when the Suspect ran toward her in the backyard, she thought he was going to kill her. She said, "I was thinking my husband's not gonna want to get this call, and I'm gonna go home on a stretcher or worse. I thought that he might kill me. Well, like I said, it -- at that point it was kind of like in slow motion. I mean, I saw him and I realized I had no place to go. And the only thing I had in my hand was my pepper spray. I did not have my gun, and I did not have time to draw my gun. As he advanced towards me, Deputy Dilelio, I heard her deploy the Taser and I remember feeling a sense of relief that she had the Taser in her hand and she had the -- the wear with all to do that, but that didn't appear to have any affect on him, and he continued advancing towards me which was just another step or two. I mean, he was pretty darn close, you know, as he was advancing towards me."

Deputy Roam said when Deputy Rafferty arrived, she was still concerned the Suspect could hurt them if he choose to fight them. She said, "Deputy Rafferty arrives. I look at him. I realize he does not have a Taser. I remember being on the patch and specifically asking for someone with a Taser and stun bag to arrive. I was concerned that he may turn and charge on us again and that we did not have any adequate less-lethal available to us because our Taser was, you know, out. We had no -- we could not use that again. My -- this spray was out. Deputy Rafferty had his expandable baton open and ready, but I remember looking that the guy thinking, 'I can't hit this guy hard enough to make him comply.' He's so big, he's on PCP. Unless you actually break his knee and take him out, we can't hit him hard enough. So if he charges at us, we're in big trouble here."

Deputy Roam said she was not sure, but she did not believe Deputies Cruz, Hinojosa, and Offringa cycled their Tasers at the same time. She said when they were trying to control the Suspect on the ground and handcuff him, an unknown deputy deployed the Taser in the drive stun mode at lest once.

Deputy Roam said she now knew why the different Tasers did not have an effect on the Suspect. She said, "I mean, obviously in hindsight, we know that only three darts hit him so we know that you need two to cycle and there was a third dart somewhere that hit him. I don't know who, but you know, I mean, uh, at the time my perception was like, this guy is superman and impervious to the taser. The reason the taser was ineffective was because we didn't have two prongs in him. So, um, uh, it's my belief now that it was -- Deputy Offringa's taser was the only one that actually had two prongs that had the effect. And that's why when Deputy Cruz and Deputy Hinojosa deployed the Tasers, and Deputy Dilelio, there was no effect."

Deputy Roam said that neither she or any other deputy hit, kicked, or used any weapons, personal or otherwise, to subdue the Suspect.

IAB Note: For further information refer to Deputy Roam's transcribed interview transcripts.

IAB Note: See Exhibit "A", pages 1-12, for the first report and a supplemental report authored by Deputy Roam.

DILELIO, Emily, Deputy Sheriff

Deputy Dilelio was interviewed by Homicide Detectives Harris and Rodriguez on February 15, 2009. She was also interviewed by IAB Sergeant David Bly on November 23, 2010 at 1330 hours. Both interviews were recorded for review and the following is a summary of those interviews.

Deputy Dilelio said she was in her first week of training at Lakewood Station and Deputy Roam was her Training Officer. She said she remembered the night of the incident. She said she carried her duty weapon, OC spray, and her baton on her gun belt and they had a Taser in the vehicle.

Deputy Dilelio said, "We got a 415 fight call. The call indicated that there was five people fighting, a male black who was naked running in the street. When we got the call, we were approximately 20 seconds out. So as soon as we hit the corner, we saw the male black suspect running on the street."

"We pulled up on scene, my TO instructed me to grab the Taser. We continued to talk to Chenard. Chenard was his name. His friends were with him. We tried to calm him down. We tried to tell him, you know, relax, what's going on, to stop, because he was running up and down the street. He then went on Silva St., he was hitting the cars as he was walking down the street, hitting the cars. We continued to try to talk to him. At times he looked like he was actually gonna like stop and listen to us, and then he would just violently take off and start hitting cars and, it looked like he was looking through us; like he wasn't all there.'

"And his friends told us, 'Oh, he's on a bad trip right now.' We - - I tried to get the Sam 918 unit through SCC to come help us. My partner, Deputy Roam, was calling for the sergeant to roll, due to the guy being naked running up and down the street. It was at that time that he, he, almost like I ran through the gate, like a closed fence at the address, I don't know the exact address, but he ran through the gate and started, [redacted] Silva.'

"He ran through the back gate and he started throwing stuff in the backyard and like wondering around the backyard. We kept trying to talk to him, kept trying to talk to him. We were kind of where the fence was. My partner was off to the side. I saw the

suspect kind of lower his shoulder like punch his fist and like lunge at Deputy Roam. Fearing for her safety and my safety, I Tased him, uhm, which had no effect on him whatsoever. My partner, Deputy Roam, then sprayed, sprayed him, which didn't have any effect, and when she sprayed him, I got most of it. I don't know if he ducked or moved or whatever, so it incapacitated my. I yelled to her to tell her, 'I can't see. I can't see.' I was trying to get her to get out of the backyard because I didn't want her to be back there by herself. At that time I - - she got on the patch, requested assistance. I think that happened actually when I Tased him, the first time I tased him. I don't remember exactly how it happened.'

"But at that time I saw - - as I was trying to tell her to get out of the backyard, I saw an unknown deputy, I don't know who it was, run past me and then they were in the backyard and I was kind of outside in like where the fence was. And I couldn't see. I believe one of the neighbors handed me like a towel or whatever, and that time I just saw a bunch of deputies just start flying in, flying in. I heard somebody say, 'Taser. Taser.' I went to the - - I went back in, I still couldn't see very well, but I went back in, I saw deputies trying - - I saw the suspect laying now in the backyard by like the tree, uhm, laying face down on his stomach and his hands were underneath him. He was holding his hands underneath him, and the deputies kept telling him, 'Give me your hands. Give me your hands.' I went to go try to help them get their hands - - I remember I put my, my left knee in his back and I was trying to pull on his right arm, trying to pull it out from under him to cuff him.'

'We finally - - I don't know, we finally got him cuffed, I think we used three cuffs to cuff him. We finally get him cuffed and I, I told him, I go, and we're like okay, and I, I feel, I felt like where his head was, or like kind of where his neck was and I was like, 'I don't think he's breathing.' I said, 'I don't think he's breathing.' So we checked his pulse and he didn't have a pulse, so we rolled him over. We immediately began CPR. I don't know who started chest compressions, I have no idea who was around me. I did the rescue breaths and we continued doing that. We switched off doing CPR until Fire came. We requested Fire on the radio, told 'em our suspect was not breathing, and that's pretty much what happened."

Deputy Dilelio said she thought the Suspect was under the influence of drugs. She said, "He's acting frantic. Like he doesn't - - he doesn't really know what he wants to do and he doesn't really know what's going on around him. Like we would try to talk to him and he would kind of listen, and then he'd really wouldn't listen. He was a big guy, at least 6-3, 6-4. 300 pounds. Just running like, literally pacing the street, and then he would start to run, and then he would run back and hit cars and just, there was no rhyme or reason to what he was doing."

Deputy Dilelio said she and Deputy Roam would tell the Suspect to sit down and at times it looked as though he would comply, with him only to start running again.

Deputy Dilelio said right before she Tased the Suspect, he fell to the ground. She said, "He had somehow managed to fall down. I don't know how, I think when he originally ran, fall down, uhm, and there's like a cement area, uhm, he fell down and then we kind of look and we were like, "Chenard, stay right there," you know, and then he got up and started - - he was like running in the back where there was like a grass area. We stayed on the pavement area like kind of right by the fence. In the driveway right there. He started like just hitting the tree and just, there was no sense of what he was doing. And he came back toward the pavement area and then my partner was standing closer to the house and I was standing closer like to the neighbor's house. And that's when he lunged at Deputy Roam, like he, like, I thought he was gonna tackle her."

Deputy Dilelio said the OC spray hit her face and she could not see what was happening. She said, "I go, Man, I go, I can't see. I said, Are you okay? Are you okay? I said, Get out of the backyard."

Deputy Dilelio said she left the backyard for approximately 30 seconds and saw an unknown station volunteer. She said she knew other deputies were running to the backyard, but does not knew who they were. She said she handed her Taser to the volunteer and wiped her face and eyes with a towel and then reentered the backyard. She saw the Suspect face down on the ground and deputies trying to gain control of his hands.

Deputy Dilelio said she remembered Deputy Roam and other unknown deputies trying to handcuff the Suspect. She said while she was down on the ground with the Suspect she did not hear or see anyone drive stun the Suspect. She said they had to use three sets of handcuffs to take the suspect into custody.

Deputy Dilelio said she believed she started rescue breathing during CPR and an unknown deputy relieved her before paramedic arrived. She said she then left the backyard to gather herself because she was disheveled.

Deputy Dilelio said it was approximately seven minutes from the time Fire was requested to the time they arrived.

Deputy Dilelio said that neither she or any other deputy hit, kicked, or used any weapons, personal or otherwise, to subdue the Suspect.

IAB Note: For further information refer to Deputy Dilelio's transcribed interview transcripts.

IAB Note: See Exhibit "A" for a supplemental report authored by Deputy Dilelio.

RAFFERTY, Scott, Deputy Sheriff

Deputy Rafferty was interviewed by Homicide Detectives Harris and Rodriguez on February 15, 2009. He was also interviewed by IAB Sergeant David Bly on October 28, 2010 at 1259 hours. Both interviews were recorded for review and the following is a summary of those interviews.

Deputy Rafferty said he was on patrol when he heard a disturbance call on Dunrobin and he then heard Deputy Roam on L-tac ask for assistance at the call. He said, "I was heading, it would be, westbound on Del Amo and then, uh, made a right turn Dunrobin to go northbound and then Silva is the first street and then made a right turn to go eastbound on Silva. Um, as I made my right turn, I saw one patrol car if I'm not mistaken still probably about two houses east of Dunrobin. I didn't see any deputies there. And then as I proceeded forward, I saw a patrol car in front of [redacted] Silva."

Deputy Rafferty said he stopped and exited his patrol car. He said he proceed up the driveway of [redacted] Silva Street when he saw Deputy Herrera exiting the backyard . He said Deputy Herrera was suffering the effects of OC spray that was still lingering in the air near the gate leading to the backyard.

Deputy Rafferty said, "I entered the backyard and I saw Deputy Rome and Deputy Dilelio in the driveway. A male black in the, um, it would be the patio area of the backyard, uh, naked. He was probably at the time my perception was about 6'1" to 6'2" between 200 and -- 280 and 300 pounds."

Deputy Rafferty said, "I observed, um, as well with him that he had snot running. He appeared to be sweating and stumbling in the backyard, uh, almost like -- well, he looked like he was in outer space. Um, I asked Deputy Rome at that time basically, 'What do we got? What's going on here?' And she advised me that, uh, he had been peppered sprayed and Tased, and there was no effects. At that time, um, I don't know what Deputy Dilelio did and I don't if she because it appeared that she was incapacitated by the, uh, pepper spray as well."

Deputy Rafferty said he did not have a Taser with him or in his car. He said ordered the Suspect to get on the ground. He said, "I gave him verbal commands. Um, I approached towards his direction where he was at, which would be the patio area between the lawn and the concrete area, 'Get on the ground. Get on the ground'."

Deputy Rafferty said he did not have a stun bag in his car and at this time he did not know what Deputy Roam was doing. He said, "I gave him verbal commands, 'Get down on your knees. Get down on your knees.' And he began to comply and dropped to his -- to both knees and paused for a second. And then I gave him commands again, 'Get

on your chest. Put your arms out like an airplane.' That's basically the way I explained it to him. And, uh, he began to fall forward, and then all of sudden he sprung up and took two to three steps advancing towards me. I removed it from my Sam Browne, snapped it to where it was expanded and at that time, I deployed my baton and, um, gave him verbal commands to, 'Get back. Get back.' And then gave him verbal commands to, 'Get back. Get back.' Uh, at that time, it appeared he looked to his right because he was still stumbling. That was the whole thing about him, and that's why I basically formed the opinion that he was on possibly PCP."

Deputy Rafferty said the Suspect became fixated on the patio light located near rear doors underneath the covered patio. He said the Suspect approached the doors.

Deputy Rafferty said he moved with the Suspect and stumbled over gardening tools. He said, "And he became alert and started directing himself towards that (light) at which time I backed up and stumbled on some, uh, shovels or rakes, um, basically lawn, uh, tools. I took those tools and keeping my eyes on him and directed Deputy Rome to put emergency traffic out in regards that we have a person that's on PCP -- possibly on PCP and ask for additional units. I then began to take all the loose tools and put them over the, uh -- the (west) fence so they weren't used as weapons."

Deputy Rafferty said the Suspect was stumbling around the patio and attempted to enter the house through the rear doors. He said assisting deputies arrived in the backyard, but only remembered specifically, Deputy Cruz. He said, "At that time, um, the suspect was stumbling in the patio area. And the one thing that I do recall is that he stumbled towards Deputy Cruz or advanced towards Deputy Cruz, and at which time Deputy Cruz fired his, uh, Taser."

Deputy Rafferty said the Suspect was off the patio when Deputy Cruz deployed the Taser. He said he did not hear Deputy Cruz announce he was deploying the Taser. He said he saw Deputy Cruz fire the Taser and heard it cycle once. He said it had no effect on the Suspect and he continued to stumble further into the back yard.

Deputy Rafferty said, "He stumbled and then, um, at that time I know there was two other Tasers that were used. Um, I personally don't know, uh, specifically who used those Tasers because his -- his direction then stumbled back into the patio area, um, actually landing on the, uh, wrought iron fence at some point and leaning on it."

Deputy Rafferty said the wrought iron fence was near a tree in the yard. He said he only heard the other Tasers as they were deployed. He said, "He fell -- I guess it didn't appear that the Tasers had any effect on him because, like I said, he continued stumbling like he was losing his balance and then regaining it. And eventually, he fell down, uh, towards the -- I guess it would be the south end of the backyard here where yeah, closer to the tree area, um, and he basically stumbled down to his knees and fell

face down. If it was my opinion, I just I think there was no effect from the Taser because, like I said, he continued moving. I could see the, uh -- the darts and the, um, the wires still attached to him. And definitely there was no effect from the Taser."

Deputy Rafferty said the Suspect fell face down with his arms up tight against his chest. He said his hands were not under his chest. He said he placed his left knee on the Suspect's upper back, using his body weight to hold him down. He said other deputies helped control the Suspect.

Deputy Rafferty said, "At which time, there was deputies. I can't tell you positioning or I mean who was there, but there was deputies towards the top portion where his upper torso was at, the head area, and there was a deputy towards his feet. Um, I positioned myself diagonally across his, uh, back towards, uh, the middle of his shoulders. I gave him verbal commands to, 'Let me get your hands. Let me have your hands.' And I could feel as I'm pulling on his arm -- his right arm he's still got -- there's tension. Give him verbal commands, and then at -- at one point, my baton was still -- it was in its, uh, fixed position, so then I used it and put it underneath his -- I believe his right wrist and bicep region and was able to bring his arm back. And at that time uh, two -- two handcuffs were given to me or I can't tell you who handcuffed him, but one handcuff was put on and then a secondary one was put on to make like bridge. And then I began to, um, grab his left arm and there was still resistance there, so then I do the same thing as another deputy was holding on to his right arm and did the same action where I used the baton for leverage to pull his left arm back."

Deputy Rafferty said he did not see or hear the Taser deployed in drive stun mode while they were on the ground. He said the Suspect was handcuffed and rolled onto his side.

Deputy Rafferty said, "Then he's -- he's secured at that point. And I -- I believe I'm the one that said it, 'Let's put him in the recovery position.' At that -- At which time we put onto his left side, and we noticed that he wasn't breathing at that time. And then CPR was administered. Um, I had to remove myself because I had cut my finger from my baton."

Deputy Rafferty said he was not sure who preformed CPR. He said, "Maybe -- Maybe Deputy Cruz. I can't specifically say that. I don't recall. Um, and then the fire department did, uh, arrive a few minutes after and then he was transported to Lakewood Region Hospital."

Deputy Rafferty said he could only estimate from the time he arrived at the location until the Suspect was handcuffed as approximately 10-15 minutes. He said the incident evolved quickly.

Deputy Rafferty said that neither he or any other deputy hit, kicked, or used any weapons, personal or otherwise, to subdue the Suspect.

IAB Note: For further information, refer to Deputy Rafferty's transcribed interview transcripts.

CRUZ, Gerardo, Deputy Sheriff

Deputy Cruz was interviewed by Homicide Detectives Harris and Rodriguez on February 15, 2009. He was also interviewed by IAB Sergeants David Bly and Brenda Parker on October 26, 2010 at 1034 hours. Both interviews were recorded for review and the following is a summary of those interviews.

Deputy Cruz said he was in briefing when he heard Deputy Roam on the radio asking for assistance and for a unit with a Taser to respond. He said he's a one man unit and he left briefing and responded to Dunrobin and Silva. He said he had a X-26 Taser with him and that was one of the reasons he responded. He said, "As we got near Dunrobin and Silva St., I saw patrol cars in the area but I didn't see any deputies, so I made a right turn onto Silva St. As I made my right turn onto Silva St., I proceeded straight and then I saw (unknown) deputies running into the rear of a location."

Deputy Cruz said, "I could not tell you who ran there, but like I said, once I got in the backyard, I recognized, uh, some of the deputies. As I get into the backyard, I see, uh, Deputy Roam back there and other male deputies. And, uh, I looked over to my left and I saw a large, uh, African American male approximately 30 to 40 years old completely nude. He appeared to be sweating and it -- it looked to me like he was trying to get into the house."

Deputy Cruz said he heard a male ordering the Suspect to "Get down, turn around, and put his hands up." He said, "Suddenly, he -- he turned around and went toward the back of the location. In the process, he barreled through some objects that were in front of him like if they weren't there. Continued straight toward the backyard and then he made a right turn behind a tree. As he -- as he made that right turn, I approached at a distance, staying some distance away. He -- he stopped momentarily in front of a small iron fence and it was facing west."

Deputy Cruz said, "And (then) he just charged into the backyard. Um, and initially when -- when I -- when I saw him, I -- I thought maybe this guy is, you know, drunk, but like I said, I've seen people that are drunk and they're kind of like staggering and -- and it -- I've never dealt with a -- a person on PCP, but it looked to me like he -- he -- he could possibly be on PCP." Deputy Cruz said he followed the Suspect, stopping north of the tree when the Suspect stopped east of the tree, with the iron fence west of the Suspect. He said the Suspect moved to an area between the tree and the iron fence.

IAB Note: See exhibit "C" for pictures of the backyard.

Deputy Cruz said he did not give the Suspect any orders because other deputies telling the Suspect to get on the ground. He said the Suspect did not comply with any of the orders. He said, "I was standing about eight to ten feet away from him and suddenly, he turned toward me, took a step, and due to his large size, his aggressive demeanor and non-compliance -- cause I heard deputies telling him to get down while he was at the gate. He turned toward me and fearing that I thought he was gonna attack me, I announced that I was deploying my Taser and deployed my Taser."

Deputy Cruz said, "I thought he was coming towards me. So I announced that I was deploying my Taser so that my partners know. Deployed it, and I don't know whether the -- whether they -- I -- I didn't see where they, projectile struck. It appeared to me that my Taser didn't have any affect on him.'

'I then heard another Taser deployed. I don't know who deployed it, and I heard it clicking, but I didn't see him, the suspect, have any affect. I heard a third Taser deploy and at that point, I saw the suspect fall to his knees and then go down, face-down, on the ground. At that point, deputies came over to him and attempted to handcuff him. His hands were underneath his body, and he continued -- he started to struggle. Like I said, he was passive for a moment but then he started to struggle and I saw that he was struggling and I got near him. And I didn't want to hit the Taser again because the wires -- I didn't know if it was gonna affect my partners. So I took the cartridge off and I got near the suspect and I saw that he was struggling. So I administered a drive stun on his left hamstring numerous times and it didn't seem to be having an affect either."

Deputy Cruz said he saw Deputy Offringa deploy his Taser (the third Taser) and Deputies Roam, Hinojosa and Offringa struggled with the Suspect after he fell to the ground. He said, "Like I said, when that was deployed, he went down immediately and he -- he -- he didn't -- he didn't move. So the deputies started to move in, and then he started to fight, turn on his side, kick, and, uh, I saw that they had moved in. And there might have been other deputies there, but like I said, I can -- I only know that Deputy Hinojosa, Offringa, Roam, uh, Rafferty may have -- Rafferty was there but I didn't particularly see him."

Deputy Cruz said none of the Tasers were deployed at the same time.

Deputy Cruz said, "So he's fighting with the guys. They're asking him to, you know, 'Stop fighting. Give me your hands.' Apparently his -- his hands were underneath him and they were trying to get them out, but he's fighting and kicking. So I see that this is going on and I -- I remove my cartridge and I walked up to him and I administered a drive stun to his left thigh. I'd say -- I'd say several like maybe three times."

Deputy Cruz said he did not see any deputies use a baton during the incident.

Deputy Cruz said deputies handcuffed the Suspect. He said, "In the process of handcuffing him, uh, they said, you know, we need a pair of cuffs, and so I just reached in the back, grabbed a pair of my handcuffs, and put them out there, and some of partners grabbed him, and, uh, handcuffed him. In the end, I know that they used three handcuffs to handcuff him because, uh, I had the handcuffs in my car and I -- I gave them to homicide, and so they -- they used three. Uh, immediately after he -- he was handcuffed, uh, I -- I think Deputy Roam, you know, said put him on his side. She monitored his -- his, uh, breathing and said, 'Oh, he's not breathing.' So right away after that, we began to, uh, CPR."

Deputy Cruz said he helped administer CPR. He said, "I might have relieved somebody, uh, before me, but I was doing chest compressions and, uh, one of partners was doing -- doing the breaths. Um, when -- when fire arrived, they asked to -- to move him to another location and we moved him from this area over by the garage, and, uh, I continued chest compressions until fire got their -- their stuff ready. He said a paramedic relieved him on the chest compressions.

Deputy Cruz said while he was preforming CPR he noticed the Suspect was hobbled. He did not see who applied the hobble to the Suspect. He said fire arrived at the scene approximately five minutes after they were requested to respond.

Deputy Cruz said the Suspect never spoke during the entire incident.

Deputy Cruz said he tested the charge on his Taser before his shift and it registered "37" on the read out. He said he was trained that "99" is the maximum charge. He said, "Thirty-seven is pretty good. I've heard that if it's below ten or something, it would still be enough to -- to give a reliable charge, so 37 was -- was -- was good."

Deputy Cruz said that neither he or any other deputy hit, kicked, or used any weapons, personal or otherwise, to subdue the Suspect.

IAB Note: For further information refer to Deputy Cruz's transcribed interview transcripts.

IAB Note: See Exhibit "A" pages 25 and 26, for a supplemental report authored by Deputy Cruz.

HINOJOSA, Cesar, Deputy Sheriff

Deputy Hinojosa was interviewed by Homicide Detectives Harris and Rodriguez on February 15, 2009. She was also interviewed by IAB Sergeants David Bly and Brenda Parker on October 28, 2010 at 1234 hours. Both interviews were recorded for review and the following is a summary of those interviews.

Deputy Hinojosa said he was in briefing when he heard Deputy Roam on the radio indicating she was involved in a fight and asked for assistance. He said he had a Taser and he responded to Deputy Roam's location on Silva Street. He said, "Upon my arrival, I saw numerous citizens pointing towards the direction of a backyard of a residence. At which point I heard deputies giving commands to the suspect. They were ordering him to get down on the floor, and as I - - as I went toward that direction where everybody was."

Deputy Hinojosa said he entered the backyard and saw the Suspect. He said, "I seen a male black totally nude, he's heavyset, attempting to enter a residence through a screen glass, or a glass door from the patio area. I suddenly saw him face towards my direction and he turned around and just started running south on the - - towards the backyard, the yard area, the grass area."

Deputy Hinojosa said, "Right before he reached to - - from the concrete to the dirt area, 'cause there was like a planter, he reached and he grabbed a metal rod that was stuck in the dirt. He grabbed that with his right hand and continued running. He ran towards a four-foot wrought iron gate and he was attempting to climb over it. I saw Deputy Cruz in front of the suspect and he's still attempting to climb over, and he still has that rod, it's a metal rod, in his right hand. I pulled out my taser and pointed my taser towards the suspect's upper back area. The taser had a light and a little laser. He turned around towards my direction. It seemed like - - it appeared as the light was bothering his vision. He was covering his eyes with his left hand and he still had that rod in his right hand. Believing that he was going to possibly use that rod against me, as he turned towards my direction, I pulled out my - - I pulled my firearm out, 'cause I was believing that I had to use deadly force at that point."

IAB Note: No other Deputy saw the Suspect with a rod (weapon) in his possession.

Deputy Hinojosa said the rod was 12-18 inches long and looked like a piece of rebar. He said he does not recall if he alerted the other deputies that the Suspect had a weapon and he did not hear anyone else advised the Suspect had a weapon.

Deputy Hinojosa said he holstered his Taser and drew his handgun and covered the Suspect. He said, "However, Deputy Cruz was in between us and there was a crossfire situation. I turned myself at an angle and I saw the suspect taking a few steps towards me and another deputy was in our crossfire. I don't know who that was. (I) Holstered my gun and deployed the taser. I saw both prongs that (they) did not make contact to his body. However, he just came at me, took approximately two steps. I then heard somebody else's taser go off and the suspect just fell to the floor. As soon as he fell to the floor, I still had my finger on the trigger of the taser and saw that the suspect was still fighting us. He wouldn't let himself (be) handcuff. He had his hands in his center chest area."

Deputy Hinojosa said he was not sure if a Taser brought the Suspect down or if he slipped and fell.

Deputy Hinojosa said he did not hear any other Tasers activate before he deployed his. He said his Taser did not effect the Suspect. He said, "I continued to, um, uh, press on the trigger. Um, and, uh, knowing that, uh, it had no effect, I followed the, um, the darts to see where -- where they hit, um, and I noticed that, uh, there was -- the darts were on the ground. And, um, it never penetrated the suspect's body."

Deputy Hinojosa said OC spray was heavy in the air and he started to feel the effects of it. He said he heard more than one Taser activate after he deployed his Taser. He said the Suspect fell face down on the ground and other deputies attempted to control the Suspect's hands to handcuff him. He said there was no room for him to move in and help control the Suspect. He said Sergeant Jobling arrived because he heard him giving out commands to Tase the Suspect.

Deputy Hinojosa said, "I then heard Sergeant Jobling (say) to drive stun the suspect, 'cause he was still not complying. And I attempted to Tase him; however, there was too many deputies. I just didn't want to Tase them, so I just - - I got closer and I did try to, try to touch him with the Taser, but it - - I couldn't reach over it."

Deputy Hinojosa said he did not see or hear anyone drive stun the Suspect. He said he did not see how the Suspect was handcuffed. He said, "No. I -- I stayed back. I -- I felt in the -- the course of the, um -- During the -- the course of the, uh, initial when we saw the suspect back there, it was really wet, and there was dog feces in the back, and somehow I -- I fell and I twisted my ankle so I had that and then the pepper spray I was having -- I wasn't (indiscernible) very well."

Deputy Hinojosa said he heard a deputy say the Suspect was not breathing and he ran to his patrol car to retrieve his CPR mask. He said he returned and relieved a unknown deputy and started rescue breathing.

Deputy Hinojosa said he preformed rescue breathing approximate 7-15 minutes until fire arrived and relieved him.

Deputy Hinojosa that neither he or any other deputy hit, kicked, or used any weapons, personal or otherwise, to subdue the Suspect.

IAB Note: For further information, refer to Deputy Hinojosa's transcribed interview transcripts.

IAB Note: See Exhibit "A" for a supplemental report authored by Deputy Hinojosa.

OFFRINGA, Darrin, Deputy Sheriff

Deputy Offringa was interviewed by Homicide Detectives Harris and Rodriguez on February 15, 2009. She was also interviewed by IAB Sergeants David Bly and Brenda Parker on October 25, 2010 at 0958 hours. Both interviews were recorded for review and the following is a summary of those interviews.

Deputy Offringa said he remembered responding to Silva Street regarding a deputy involved in a fight. He said, "At approximately, I'll say 2215, I was in the station finishing my paperwork [redacted]. A call comes out over the radio from Deputy Roam. She sounded extremely frantic, said 'deputy involved in a fight possibly 918, and possibly mentally insane person.' Dropped what I was doing, left the station, rolled over to -- she said she was on Silva and Dunrobin. She said that she tried to Tase and theTase had no affect and to (for) someone to bring a Taser.'

"I roll over to the location. I believe it was at [redacted] Silva. I see several deputies running to the backyard of the location. I follow. When I first get into the back of the -- as I run towards the back, I can smell the remnants of what smelled like OC-CS gas.'

"I get to the backyard and I see the Suspect in the backyard up against the south cinder block brick wall next to a four-foot wrought iron fence that was separated from the garage by about two to three feet. The Suspect was naked and was about 6'2" 320, 350 pounds. His body seemed rather rigid and kind of had that blank look in his eyes.'

"There was about five to six other deputies already on scene. It appeared to me that the Suspect took a fighting stance. His arms kind of went up close to his face. It looked like he put his strong leg back and his right leg, and I heard Deputy Cruz yell, 'Deploying Taser.' I heard the pop of the Taser and the zap, zap, zap. And it had little no affect. The guy may have took a couple stutter steps and then progressed forward, caught his balance and progressed forward.'

"He advanced towards Deputy Hinojosa. Deputy Hinojosa deployed his Taser. I heard the pop of the Taser, zap, zap, zap. But no affect. Guy just wield his arms a couple times.'

"I had my X-26. I deployed my X-26, and I saw one, you know, the -- because of the continuing advances, because the thought that from what I had just seen, I thought the guy was on PCP. The fact that he had already attacked one of our deputies by Roam's radio traffic, his continuing assaultive behavior, the high risk of being involved with someone on PCP, I thought this guy was gonna assault fellow deputy staff.'

"So I deployed my Taser and I saw one prong hit him in the neck and the other prong, I don't know. However, the X had an immediate affect on the suspect. The suspect fell. It went through an entire cycle, five seconds. I saw Deputy Hinojosa do a dry contact Tase directly to the suspect's thigh. Deputy Rafferty got on the suspect's right shoulder. Deputy Roam on his left and they were struggling to get the suspect's arms from behind his back. The suspect kept his arms underneath his body and was thrashing his body to the left and to the right.'

"Because of his violent movements and the fact that I was afraid he possibly stand back up and attack the staff, I again Tased him for another cycle of five seconds. I handed off my Taser to another deputy. I don't know who the deputy was, but I handed off my Taser so I could get involved in handcuffing the suspect. I was initially on the opposite side of the wrought iron fence so I had to hop over the wrought iron fence. I put my knee on the lower back of the suspect, Rafferty used his expandable baton to wedge the suspect's left arm out from underneath his body, and I assisted Deputy Roam in handcuffing his left arm.'

"Rafferty used the same means to -- with the expandable baton to wedge the suspect's right arm out from underneath his body. I then handcuffed his right arm. I asked for a hobble to restrain his legs and his movements, and I was given one by Sehdev, Deputy Sehdev. I applied the rip hobble and after doing so, we flipped over -- we turned the suspect on his side to check his vitals and he wasn't breathing.'
"'We immediately flipped him on his back and immediately performed CPR. We called for Fire and rescue to respond, took them a couple minutes, then Fire took over the scene."

IAB Note: Deputy Hinojosa said he did not drive stun the Suspect, however, Deputy Cruz did drive stun the Suspect several times.

Deputy Offringa said when he first arrived at the scene, he only remembered seeing Deputies Roam, Dilelio, Cruz, and Hinojosa in the backyard. He said the Suspect's movements were extremely rigid and his muscles were tensed up. The Suspect had a blank look on his face , that "they would call it a thousand-yard stare." He said the Suspect was unresponsive to any of the verbal commands from the deputies.

Deputy Offringa said, "Commands were being given, yeah. When I first got on scene, several deputies were saying, 'Get on the ground. Get on the ground.' And again, when Roam and Rafferty were on his shoulders, Roam was saying, 'Give me your hands'."

Deputy Offringa said while they were on the ground, he place his knee on the Suspect's lower back to help control him while the attempted to handcuff him.

Deputy Offringa said he only remembered Deputy Hinojosa administering CPR rescue breathing. He said he requested an ETA on 902R. He said, "After, uh, rescue was initially, uh, requested, um, it seemed like it, it seemed like it, it took them forever to actually get to him, but, so I again went on the radio and said, hey what's, what's the status of, uh, fire, we need them rolling, or something along those lines."

Deputy Offringa said it took approximately five to seven minutes for 902R to arrive at the scene.

IAB Note: For further information, refer to Deputy Offringa's transcribed interview transcripts.

IAB Note: See Exhibit "A" for a supplemental report authored by Deputy Offringa.

IAB Note: See Exhibit "A" page 62, where Homicide Detective Harris documented that based on involved Deputies, sworn witnesses civilian witnesses interviews, coupled with their investigation of the scene and the results of the autopsy of the Suspect, Homicide investigators came to the following conclusion; that Deputy Offringa's Taser was the only Taser deployed where both darts made contact with the Suspect and subsequently, was effective.

WITNESSES STATEMENTS

Sworn Witnesses

RIZZIO, Francine, Deputy Sheriff

Deputy Rizzio was interviewed by Homicide Detectives Harris and Rodriguez on February 15, 2009. The interview was recorded for review and the following is a summary of that interview.

Deputy Rizzio said she responded to Dunrobin Ave and Silva St regarding a "918." She said she responded to the backyard of the location and saw the Suspect, Sergeant Jobling, and approximately 5-6 deputies in the southwest area of the yard. The Suspect was nude and face down on the ground. She said Deputies were struggling with the suspect to control him.

Deputy Rizzio said Deputy Roam was at the Suspect's shoulders and another deputy was at his feet. She said she saw a deputy, possibly Deputy Offringa, apply a hobble restraint on the Suspect's ankles. She said after several links of handcuffs were applied to the Suspect, he was rolled over on his side. She saw Deputy Roam check his carotid artery and she heard her say the Suspect had no pulse and was not breathing.

Deputy Rizzio said the Suspect was placed on his back and a male deputy started CPR. Another male deputy started rescue breathing.

IAB Note: See Exhibit "A" for a CD containing Deputy Rizzio's recorded Homicide interview for further information. Also, see pages 42-44 for Homicide's summary of Deputy Rizzio's interview.

IAB Note: See Exhibit "A" pages 22-23 for a supplemental report authored by Deputy Rizzio.

BOUGHTER, Daniel, Deputy Sheriff

Deputy Boughter was interviewed by Homicide Detectives Harris and Rodriguez on February 18, 2009. The interview was recorded for review and the following is a summary of that interview.

Deputy Boughter said he was at briefing when he heard Deputy Roam ask for assistance over the radio. He said he responded to the location with Deputy Marx. He said Deputy Marx ran to the backyard of the house and he remained in the front to control civilians nearing the crime scene.

Deputy Boughter said he heard someone request 902R over the radio and he entered the backyard. He saw deputies administering CPR. After fire arrived, he followed the paramedics to the hospital.

IAB Note: See Exhibit "A" for a CD containing Deputy Boughter's recorded Homicide interview for further information. Also, see pages 78-79 for Homicide's summary of Deputy Boughter's interview.

HERRERA, Michael, Deputy Sheriff

Deputy Herrera was interviewed by Homicide Detectives Harris and Rodriguez on March 5, 2009. The interview was recorded for review and the following is a summary of that interview.

Deputy Herrera said he was working as unit 132T2 PM on the night of the incident and had Station Volunteer [redacted] riding along with him. He said he did not have a Taser with him. He said they responded to a 415 fight call on Dunrobin Ave from a traffic stop at South Street and Dagwood Blvd. He said he was the assisting unit on the call.

Deputy Herrera said he heard Deputy Roam requesting additional units to her location on L-tac. He said when they arrived at the call he saw Deputy Roam's car parked on Silva Street, facing east, just east of Dunrobin Ave. He said he did not see any deputies, but saw civilians pointing to a house at on Silva Street.

Deputy Herrera said they responded to the Silva house and he saw Deputies Roam and Dilelio standing inside the gate leading to the rear. He said he walked up the driveway toward the gate and he became overcome from the effects of OC spray that was in the air. He heard the sounds of tash cans being knocked over and he thought deputies were in a fight. He saw a civilian male (NFD) walking down the driveway away from the backyard. Deputy Herrera said he saw Deputy Dilelio exit the backyard and she told him "We need another Taser." He sais Deputy Dilelio was overcome from the effects of the OC spray. He said he stopped in front of (north of) the open gate and looked into the backyard.

Deputy Herrera said he saw the Suspect (a nude large male black) who was walking further into the backyard and patio area. He said he saw the Suspect fall twice to the ground on his hands and knees and was stumbling around the backyard. He said the Suspect ignored Deputy Roam's orders to stop and place his hands behind his back. The Suspect was grunting and did not make sense. He said Deputy Roam remained in the backyard area and he heard her request assistance and for a Taser over the radio. Deputy Herrera remained outside of the gate on the driveway and he said he requested an unit with a ARWEN to respond to the location.

Deputy Herrera said he was fearful of the Suspect because of his size, strange behavior and that he thought the Suspect was under the influence of a strong drug. He said he thought he may have to use deadly force to stop the Suspect if he attacked him.

Deputy Herrera said Deputies Boughter, Hinojosa, a few other unknown deputies, and Sergeant Jobling passed him at the gate as they entered the backyard and joined Deputy Roam. He saw the Suspect move further into the southern portion of the backyard and the deputies followed him. He said his view was partially obstructed from the garage. He said he heard "Tase him" and the sounds of a Taser being activated, but he could not see what was happening. Deputy Herrera move into the backyard to improve his view.

Deputy Herrera said he saw an unknown deputy deploy a Taser at the Suspect and the Suspect fell to the ground. He saw deputies placed their bodies on top of the Suspect to control him. The Suspect refused to release his hands from underneath his body and deputies struggled to gain control of his hands. He said 2-3 handcuffs were used to handcuff the Suspect. Deputy Herrera said he could not see what each deputy was doing.

Deputy Herrera said deputies discovered the Suspect was not breathing. He said deputies administered CPR and he then left the backyard to direct fire to the backyard.

Deputy Herrera said he did not see the Suspect with an object in his hands.

IAB Note: See Exhibit "A" for a CD containing Deputy Herrera's recorded Homicide interview for further information. Also, see pages 54-56 for Homicide's summary of Deputy Herrera's interview.

BRONOWICKI, Christopher, Deputy Sheriff

Deputy Bronowicki was interviewed by Homicide Detectives Harris and Rodriguez on February 15, 2009. The interview was recorded for review and the following is a summary of that interview.

Deputy Bronowicki said he was at briefing when he heard Deputy Roam ask for assistance over the radio.

Deputy Bronowicki said he drove to the location with Deputy Rizzio. He said he was carrying a Taser and when they arrived at the Silva Street location he responded to the backyard.

Deputy Bronowicki said when he was approaching the backyard he heard the sounds of a Taser being activated. He saw the Suspect laying on ground with Deputies Roam, Dilelio, Offringa, and an known deputy around the Suspect attempting to control him. He said he started to set up a containment of the location and he requested 902R. He said he did not witness deputies handcuff the Suspect, but the Suspect was eventually handcuffed. He heard a deputy request for a hobble and he saw deputies apply the hobble to the Suspect's ankles. The Suspect was placed on his side and his vital signs were checked. He said he saw deputies administer CPR.

Deputy Bronowicki said it took approximately eight minutes for 902R to arrive at the location.

IAB Note: See Exhibit "A" for a CD containing Deputy Bronowicki's recorded Homicide interview for further information. Also, see pages 66-67 for Homicide's summary of Deputy Bronowicki's interview.

SEHDEV, Nesha, Deputy Sheriff

Deputy Sehdev was interviewed by Homicide Detectives Harris and Rodriguez on February 18, 2009. The interview was recorded for review and the following is a summary of that interview.

Deputy Sehdev said she was at briefing when he heard Deputy Roam ask for assistance over the radio. She responded to the area of Dunrobin and Silva Street. She ran to the backyard of the location and saw the Suspect (large nude male black) standing near some trash cans. She said she was following Deputy Cruz to the backyard. She said the Suspect pushed-moved the trash cans away and walked to the rear of the yard. She said the Suspect was not responding to any of the deputies

commands and she thought the Suspect was under the influence of drugs, possibly PCP.

Deputy Sehdev said she does not remember the specific commands deputies were telling the Suspect.

Deputy Sehdev said she stood just inside the backyard near the gate when she heard someone say, "Taser, Taser." She then saw Deputy Cruz and an unknown deputy deploy Tasers at the Suspect. She said it appeared the Tasers were deployed at the same time, but was not sure who deployed the Taser first. The Suspect fell to the ground with his hands underneath him. She said she was not sure what the Suspect was doing when he was Tased. She said she was standing in the driveway area by the garage.

Deputy Sehdev said the Suspect struggled and would not release his hands to the deputies. She sais approximately 3-4 deputies were struggling with the Suspect to handcuff him. She heard a deputy request a hobble and she handed her hobble to the deputy. She assisted deputies apply the hobble on the Suspect by holding his feet together.

Deputy Sehdev said the Suspect was placed on his side and it was discovered he was not breathing. She saw deputies start CPR on the Suspect and then left to retrieve her CPR mask, but never returned to the back yard.

Deputy Sehdev said she could not identify the deputies who were struggling with the Suspect or who she handed her hobble to.

IAB Note: See Exhibit "A" for a CD containing Deputy Sehdev's recorded Homicide interview for further information. Also, see pages 77-78 for Homicide's summary of Deputy Sehdev's interview.

MARX, Jason, Deputy Sheriff

Deputy Marx was interviewed by Homicide Detective Laren on February 15, 2009. The interview was recorded for review and the following is a summary of that interview.

Deputy Marx said he was at Lakewood Station writing a report when he heard a unit request assistance regarding a "918" on Silvia Street. He said he responded to the location with Deputy Boughter.

Deputy Marx said he ran to the backyard and saw approximately eight other deputies and the Suspect standing next to a tree. He said the Suspect was bleeding from a cut on his shin. He smelled OC spray in the air. He said he saw the Suspect fall to the ground and he saw at least two Taser wires in the Suspect upper torso area.

Deputy Marx said he heard the sound of an activated Taser, but did not see a deputy deploy a Taser. He said he was standing behind a group of deputies who were attempting to pull the Suspect's arms behind his back. Deputy Marx hook his tow handcuffs together in preparation of handcuffing the Suspect.

Deputy Marx said an unknown deputy (most likely Deputy Offringa) handed him a X-26 Taser to hold. He placed the Taser in his waistband and handed the unknown deputy his handcuffs. The Suspect was handcuffed on placed on his side and Deputy Marx saw the Suspect was hobbled.

Deputy Marx said an unknown deputy checked the Suspect's pulse and he checked to see if he was breathing. He told the deputies the Suspect was not breathing and a female deputy stated to start CPR. He said Deputy Cruz started compressions and another deputy started rescue breathing with a CPR mask.

IAB Note: Deputy Marx thought Deputy Garcia was rescue breathing, but Deputy Hinojosa stated he performed rescue breathing on the Suspect.

Deputy Marx said he relieved Deputy Cruz and continued to preform compressions on the Suspect until fire arrived. He said he accompanied the Suspect in the ambulance to the hospital.

IAB Note: See Exhibit "A" for a CD containing Deputy Marx's recorded Homicide interview for further information. Also, see pages 99-101 for Homicide's summary of Deputy Marx's interview.

LEDWIDGE, Joseph, Deputy Sheriff

Deputy Ledwidge was interviewed by Homicide Detectives Harris and Rodriguez on February 18, 2009. The interview was recorded for review and the following is a summary of that interview.

Deputy Ledwidge said he was Lakewood Station preparing for his upcoming shift when he heard Deputy Roam request assistance. He said he responded to the location with other deputies and entered the backyard. There, he saw deputies handcuffing a male

black and then deputies were administering CPR on the Suspect. He said when he arrived in the back yard he saw 3-4 deputies handcuffing the Suspect and approximately 3-4 other deputies standing in the yard.

Deputy Ledwidge said he could not identify the deputies who handcuffed the Suspect. He said he was only in the backyard for 10-15 seconds before he left the yard to attempt to locate a video recorder and to start an incident log. Deputy Ledwidge could not find a video recorder.

IAB Note: See Exhibit "A" for a CD containing Deputy Ledwidge's recorded Homicide interview for further information. Also, see pages 79-80 for Homicide's summary of Deputy Ledwidge's interview.

JOBLING, James, Sergeant

Sergeant Jobling was interviewed by Homicide Detectives Harris and Rodriguez on February 15, 2009. The interview was recorded for review and the following is a summary of that interview.

Sergeant Jobling said he was working as 130S on the night in question. He said he was in service and driving his patrol car when he heard a 415 fight call dispatched. He then heard Deputy Roam request that he respond to her location regarding a "918." He said he was driving to Silva Street when he heard Deputy Roam broadcast "10-33" over L-tac and then she broadcasted "10-33" over Dispatch-14.

Sergeant Jobling said he arrived on Silva Street and he ran to the backyard of the location. He said he followed an unknown deputy to the rear yard and other deputies were still arriving to the location after he arrived. He said as he approaching the backyard from the driveway, he heard the popping sound of a Taser being activated. He moved to the backyard and saw deputies standing around the Suspect who was face down on the grass.

Sergeant Jobling said the Suspect was a large nude black male. He said deputies were telling the Suspect to stop resisting and other deputies were struggling to gain control of his hands. He said he heard a Taser activating, but it had no effect on the Suspect. He said the Suspect held his hands underneath his body and deputies struggled in an attempt to pull his hands out for handcuffing. He said deputies could not handcuff the Suspect.

Sergeant Jobling said the Taser did not have any effect on the Suspect. He said he directed Deputy Hinojosa to drive stun the Suspect with his Taser. However, Deputy Hinojosa could not reach an open area of the Suspect's back because of the numerous deputies around the Suspect. Sergeant Jobling said he did not see any deputy drive stun the Suspect.

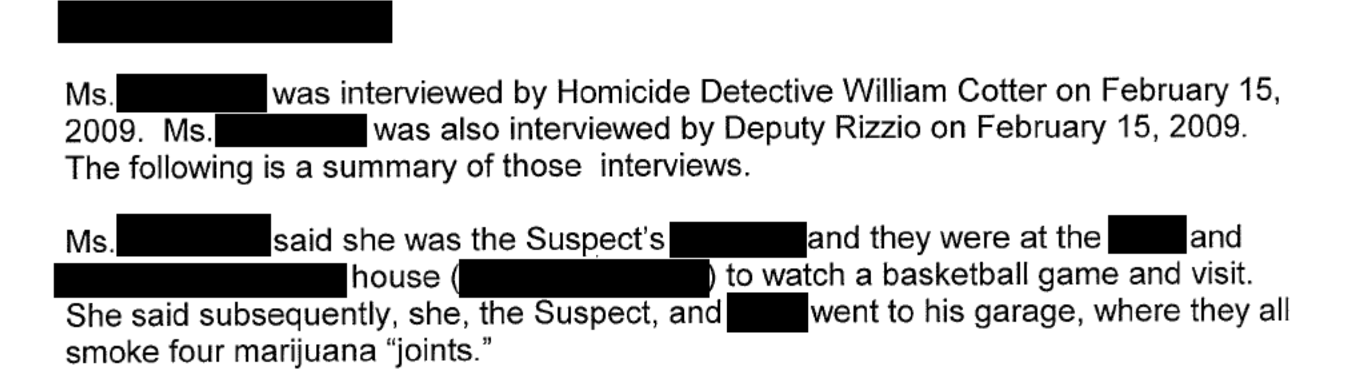
Sergeant Jobling said, subsequently, deputies gained control of the Suspect and handcuffed him, using three handcuffs. He said he saw a deputy apply a hobble to the Suspect's ankles during the struggle. He said the Suspect was placed on his side and his vital signs were checked.

Sergeant Jobling said deputies discovered the Suspect was not breathing and deputies started CPR. He said he thought paramedics were staged around the block, but later learned they were not. He said it took approximately several minutes for paramedics to arrive at the scene. He said Fire Department personnel moved the Suspect to an paved area in front of the garage to better preform life saving measures.

IAB Note: See Exhibit "A" for a CD containing Sergeant Jobling's recorded Homicide interview for further information. Also, see pages 44-46 for Homicide's summary of Sergeant Jobling's interview.

IAB Note: No sworn witnesses saw any deputies hit, kick, or strike the Suspect with any weapons.

Civilian Witnesses



[redacted]

Ms. [redacted] was interviewed by Homicide Detective William Cotter on February 15, 2009. Ms. [redacted] was also interviewed by Deputy Rizzio on February 15, 2009. The following is a summary of those interviews.

Ms. [redacted] said she was the Suspect's [redacted] and they were at the [redacted] and [redacted] house ([redacted]) to watch a basketball game and visit. She said subsequently, she, the Suspect, and [redacted] went to his garage, where they all smoke four marijuana "joints."

Ms. [redacted] said after they were done smoking the marijuana, the Suspect was acting "weirder and weirder" and "very paranoid." She said they left the garage and entered the house where the Suspect was talking in a very aggressive manner. She said the Suspect was acting totally out of character and she noticed he took off all of his clothes and was nude.

Ms [redacted] said the Suspect walked toward the front door and pushed [redacted] out of his way and exited the house. She said the Suspect was outside of the house speaking in a military jargon and acting paranoid. She said she called the Suspect [redacted] in an attempt that she may be able to calm him down. The Suspect ran out of the house before his [redacted] could talk to him.

Ms. [redacted] said she was standing on the neighbor's driveway ([redacted] Silva Street) when she saw deputies arrive. She said she was standing approximately 25-30 feet away from the Suspect and she heard deputies asking the Suspect questions and giving him commands. She said as the Suspect and deputies started moving to the rear yard of [redacted] Silva Street, she saw deputies deploy Tasers four to five times at the Suspect. She said she smelled pepper spray in the air, but she did not see it deployed.

IAB Note: Ms. [redacted] told Deputy Rizzio that when the deputies arrived she returned to the [redacted] house because she was afraid. She told Deputy Rizzio that she only heard the sounds of the Tasers and saw sparks. Additionally, [redacted] told investigators that they did not see Ms. [redacted] outside during the time the Suspect ran up their driveway and into the backyard.

Ms. [redacted] said she did not see any deputy punch, kick, or use any impact weapons on the Suspect. However, she said she did see a deputy make a kicking motion toward the Suspect. She did not see if that kick make contact with the Suspect.

Ms. [redacted] said that recently the Suspect had complained of having the flu and he had been taking over the counter medications (Thera-Flu and Tylenol Cold) for his flu condition.

IAB Note: See Exhibit "A: pages 90-91 for Homicide's summary of their interview with Ms. [redacted]. Also, see page 23 for a supplemental report authored by Deputy Rizzio.

[redacted]

Mr. [redacted] was interviewed by Homicide Detective William Cotter on February 15, 2009. Mr. [redacted] was also interviewed by Deputy Rizzio on February 15, 2009. The following is a summary of those interviews.

Mr. [redacted] said he has known the Suspect since they were children. He said the Suspect and his [redacted] ([redacted]) were at his house ([redacted]) watching television. He said his [redacted] ([redacted]) was also home with them. After they watched the NBA Slamm Dunk contest on television, Mr. [redacted] said he, the Suspect, and [redacted] went to his garage. He said for the next approximately one hour they smoke four marijuana "joints" and drank beer. Subsequently, they entered the house where the Suspect complained he was "burning up."

IAB Note: Homicide Detective Cotter thought Mr. [redacted] used the street term "sherm" in describing the marijuana, indicating the marijuana was laced with PCP. Mr. [redacted] denied they used PCP.

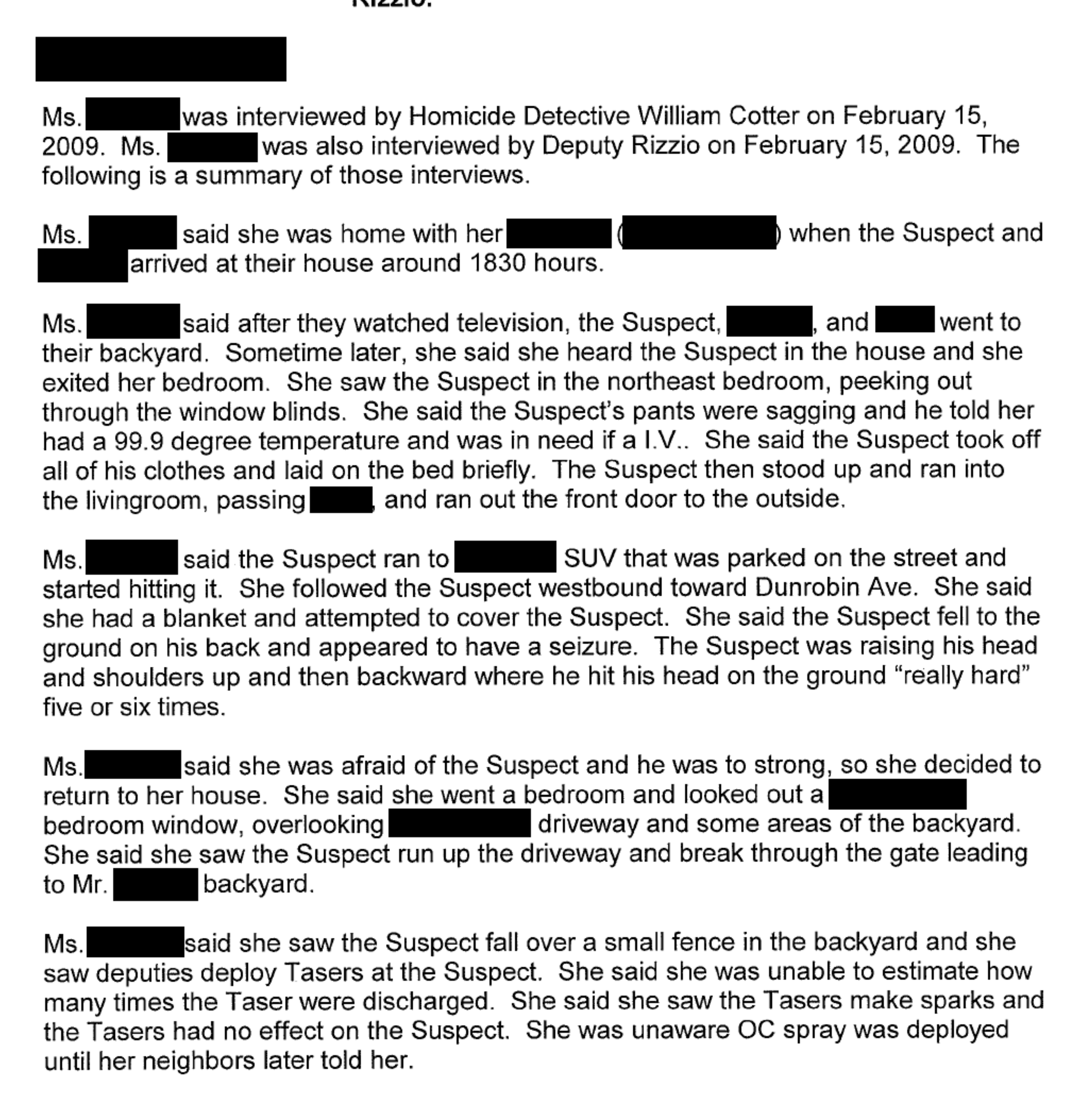
Mr. [redacted] said he started noticing the Suspect was acting differently, by taking off his clothes and placing them on a bedroom floor and bed. He said the Suspect would not listen to his pleas to lie down. He said without warning, the nude Suspect ran into the living room and then out the front door of the house.

Mr. [redacted] said the Suspect was "possessed" and could not control himself. He said he followed the Suspect outside. He said he and his [redacted] ([redacted]) followed the Suspect to Dunrobin Ave, where it appeared the Suspect had a seizure. He said deputies arrived and the Suspect started moving back toward his house. He said deputies followed the Suspect.

Mr. [redacted] said he subsequently, entered his house and looked out a [redacted] bedroom window, overlooking Mr. [redacted] driveway and some areas of the backyard. There he said he saw deputies and the Suspect at the gate area. He said he saw a female deputy deploy a Taser at the Suspect. He said deputies and the Suspect moved deeper into the yard and is view was partial blocked by the garage.

Mr. [redacted] said he did not hear any verbal orders from the deputies and he did not hear the Suspect saying anything. He said he saw or heard deputies discharge Tasers four times. He said he only saw deputies deploy Tasers in an attempt to control the Suspect. He did not see any deputies punch, kick, or use any impact weapons on the Suspect.

IAB Note: See Exhibit "A: pages 88-90 for Homicide's summary of their interview with Mr. [redacted]. Also, see page 22 for a supplemental report authored by Deputy Rizzio.



[redacted]

Ms. [redacted] was interviewed by Homicide Detective William Cotter on February 15, 2009. Ms. [redacted] was also interviewed by Deputy Rizzio on February 15, 2009. The following is a summary of those interviews.

Ms. [redacted] said she was home with her [redacted] ([redacted]) when the Suspect and [redacted] arrived at their house around 1830 hours.

Ms. [redacted] said after they watched television, the Suspect, [redacted], and [redacted] went to their backyard. Sometime later, she said she heard the Suspect in the house and she exited her bedroom. She saw the Suspect in the northeast bedroom, peeking out through the window blinds. She said the Suspect's pants were sagging and he told her had a 99.9 degree temperature and was in need if a I.V.. She said the Suspect took off all of his clothes and laid on the bed briefly. The Suspect then stood up and ran into the livingroom, passing [redacted], and ran out the front door to the outside.

Ms. [redacted] said the Suspect ran to [redacted] SUV that was parked on the street and started hitting it. She followed the Suspect westbound toward Dunrobin Ave. She said she had a blanket and attempted to cover the Suspect. She said the Suspect fell to the ground on his back and appeared to have a seizure. The Suspect was raising his head and shoulders up and then backward where he hit his head on the ground "really hard" five or six times.

Ms. [redacted] said she was afraid of the Suspect and he was to strong, so she decided to return to her house. She said she went a bedroom and looked out a [redacted] bedroom window, overlooking [redacted] driveway and some areas of the backyard. She said she saw the Suspect run up the driveway and break through the gate leading to Mr. [redacted] backyard.

Ms. [redacted] said she saw the Suspect fall over a small fence in the backyard and she saw deputies deploy Tasers at the Suspect. She said she was unable to estimate how many times the Taser were discharged. She said she saw the Tasers make sparks and the Tasers had no effect on the Suspect. She was unaware OC spray was deployed until her neighbors later told her.

Ms. [redacted] said she only heard muffled voices during the incident with the deputies and could make out what was being said. She saw deputies remove yard tools from the yard and throw them over the fence. She said in her opinion the deputies had done the best they could in controlling the Suspect because he was very strong and out of control.

IAB Note: See Exhibit "A: pages 91-92 for Homicide's summary of their interview with Ms. [redacted]. Also, see page 23 for a supplemental report authored by Deputy Rizzio.

[redacted]

Ms. [redacted] was interview by Homicide Detective Harris on February 25, 2009. The interview was recorded for review and the following is a summary of that interview.

Ms. [redacted] said on the night in question she was visiting a friend on Dunrobin Ave. She said as she exited her friend's home she heard a male yelling, but did not see him. She walked to her car, she said she saw a large nude black man walking toward her. The Suspect was screaming and people were following him. One of the people following the Suspect was holding a blanket and they were all trying to calm him. She entered her vehicle and continued to watch the Suspect.

Ms. [redacted] said the Suspect was in the street on Dunrobin Ave and was shouting unintelligible things. She saw the Suspect throw himself onto the payment in front of her car. She said the Suspect was on his back and the other people did not touch him. She said the Suspect repeatedly smashed the back of his head on the payment. She said he was out of control and thought he was having a seizure.

Ms. [redacted] said she was afraid to start her car or turn on the headlights because she did not want to draw the Suspect's attention. She said she exited her car and quickly returned to her friend's porch. She said she saw a neighbor (white male) on the street and he told her he had called 911. The Suspect ran east on Silva Street and the neighbor walked to the corner of Dunrobin and Silva to observe the Suspect.

Ms. [redacted] said she saw a patrol car travel northbound Dunrobin to eastbound Silva Street and then stop. She saw a female deputy and another deputy (Deputies Roam and Dilelio) exit the patrol car and walk toward the Suspect. The Suspect ran east on Silva. She said the deputies "slowly and cautiously" followed the Suspect. She said the deputies never touched the Suspect, but it appeared they were talking to him.

Ms. [redacted] said she remained at the corner of Dunrobin and Silva and saw the Suspect run to the backyard of a house on Silva Street with the two deputies following him. She said she heard the sounds of trash cans and other items being thrown or knocked down. She said she saw one of the deputies exit the backyard and enter the patrol car. The female deputy then exited the backyard and said, "I can't do this alone." She said she lost track of the people who were trying to calm the Suspect and did not know where they went.

Ms. [redacted] said other neighbors were now coming out to the street asking her what had happened. She said several other deputies arrived and entered the backyard. She said, subsequently, the Fire Department arrived and enter the backyard.

IAB Note: See Exhibit "A: pages 51-53 for Homicide's summary of their interview with Ms. [redacted].

[redacted]

Mr. [redacted] was interviewed by Lakewood Deputy Louis Lopez #[redacted] and the interview was documented on a supplemental report authored by Deputy Lopez. The following is a summary of his interview.

Mr. [redacted] said he was home ([redacted]) during the incident. He said he heard the sounds of someone pounding on vehicles coming from outside from the street area. He said he looked outside to the street and saw the nude Suspect walking in the street. He said the Suspect appeared to be intoxicated and agitated. He saw a male and female following the Suspect and the female was attempting to cover the Suspect with a blanket. Mr. [redacted] said he called the police.

Mr. [redacted] said he saw deputies arrive and they tried to calm the Suspect down. He said the Suspect appeared to be angry and did not comply with the deputies directions. He said the Suspect continued to walk around in-between parked vehicles on the street.

Mr. [redacted] said the deputies followed the Suspect up the driveway of [redacted] Silva Street where he lost sight of the incident. He said he heard the sounds of a Taser, but did not see what was happening.

IAB Note: See Exhibit "A" page 19 for a supplemental report authored by Deputy Lopez.

[redacted]

Ms. [redacted] was interviewed by Lakewood Deputy Louis Lopez #[redacted] and the interview was documented on a supplemental report authored by Deputy Lopez.

Ms. [redacted] said she was home ([redacted]) during the incident. She said she heard the sounds of people arguing coming from the street area. She said she looked out toward the street and the nude Suspect walking in the street with deputies following him. She said the Suspect appeared to be intoxicated and angry. The deputies were talking to him and attempting to calm him down.

Ms. [redacted] said the Suspect walked up the driveway of [redacted] Silva Street and the deputies followed him. She said she lost sight of the incident as the group entered the backyard. She said she did not see what was happening, but could hear the sounds of a commotion coming form the rear yard.

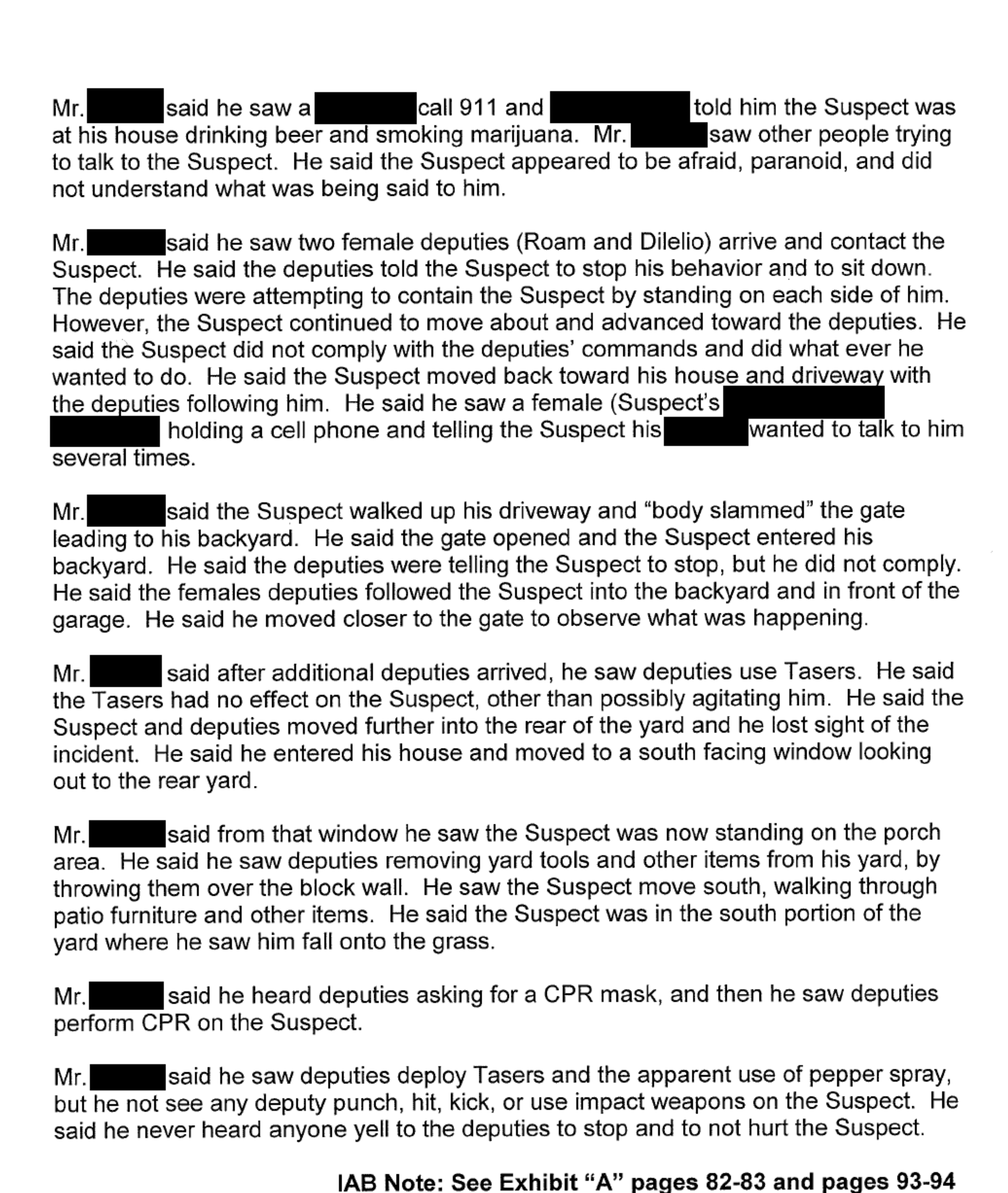
IAB Note: See Exhibit "A" pages 19 and 20 for a supplemental report authored by Deputy Lopez.

[redacted]

Mr. [redacted] was interviewed by Homicide Detective William Cotter on February 15, 2009 and by Homicide Detective Rodriguez on February 24, 2009. Both interviews were recorded for review and the following is a summary of those interview.

Mr. [redacted] said he resides at [redacted] and he and his [redacted] ([redacted]) were home during the incident. He said he was inside his house when he heard a noise outside. He said he looked outside and saw the Suspect striking a SUV that was parked on the street. He exited his house to see if he could help his [redacted] ([redacted]) who was approaching the Suspect. He said he recognized the Suspect as a person who he had seen at [redacted] house on different occasions. He saw the Suspect was nude and speaking incoherently. He said he saw [redacted] ([redacted]) attempt to cover the Suspect with a blanket.

Mr. [redacted] said he followed his [redacted] and the Suspect as they walked down the street toward Dunrobin Ave. He said he saw the Suspect lay on his back on the sidewalk. He saw the Suspect bend his body at his waist and then force himself back, striking his head on the sidewalk eight to ten times. He then saw the Suspect stand himself up.



Mr. [redacted] said he saw a [redacted] call 911 and [redacted] told him the Suspect was at his house drinking beer and smoking marijuana. Mr. [redacted] saw other people trying to talk to the Suspect. He said the Suspect appeared to be afraid, paranoid, and did not understand what was being said to him.

Mr. [redacted] said he saw two female deputies (Roam and Dilelio) arrive and contact the Suspect. He said the deputies told the Suspect to stop his behavior and to sit down. The deputies were attempting to contain the Suspect by standing on each side of him. However, the Suspect continued to move about and advanced toward the deputies. He said the Suspect did not comply with the deputies' commands and did what ever he wanted to do. He said the Suspect moved back toward his house and driveway with the deputies following him. He said he saw a female (Suspect's [redacted] holding a cell phone and telling the Suspect his [redacted] wanted to talk to him several times.

Mr. [redacted] said the Suspect walked up his driveway and "body slammed" the gate leading to his backyard. He said the gate opened and the Suspect entered his backyard. He said the deputies were telling the Suspect to stop, but he did not comply. He said the females deputies followed the Suspect into the backyard and in front of the garage. He said he moved closer to the gate to observe what was happening.

Mr. [redacted] said after additional deputies arrived, he saw deputies use Tasers. He said the Tasers had no effect on the Suspect, other than possibly agitating him. He said the Suspect and deputies moved further into the rear of the yard and he lost sight of the incident. He said he entered his house and moved to a south facing window looking out to the rear yard.

Mr. [redacted] said from that window he saw the Suspect was now standing on the porch area. He said he saw deputies removing yard tools and other items from his yard, by throwing them over the block wall. He saw the Suspect move south, walking through patio furniture and other items. He said the Suspect was in the south portion of the yard where he saw him fall onto the grass.

Mr. [redacted] said he heard deputies asking for a CPR mask, and then he saw deputies perform CPR on the Suspect.

Mr. [redacted] said he saw deputies deploy Tasers and the apparent use of pepper spray, but he not see any deputy punch, hit, kick, or use impact weapons on the Suspect. He said he never heard anyone yell to the deputies to stop and to not hurt the Suspect.

IAB Note: See Exhibit "A" pages 82-83 and pages 93-94 for Homicide's summary of Mr. [redacted] interviews.

[redacted]

Ms. [redacted] was interviewed by Homicide Detective William Cotter on February 15, 2009 and by Homicide Detective Rodriguez on February 24, 2009. Both interviews were recorded for review and the following is a summary of those interview.

On February 15, 2009, Ms. [redacted] told Detective Cotter she did not witness anything. She said, on the night in question, her [redacted] ([redacted]) told her something was happening outside of their house.

Ms. [redacted] said she went to her front yard and heard the sound of a Taser coming from her backyard. She said she saw a female deputy who appeared to be in pain and that the deputy was effected by OC spray.

On February 24, 2009, Ms. [redacted] told Detective Rodriguez that while she was in her front yard she saw her [redacted], [redacted]. She said they were stand in their front yard and [redacted] was holding a blanket. She said [redacted] appeared to be "high" and he entered his house. [redacted] apologized for the Suspect's actions and she told Ms. [redacted] that the Suspect was high on PCP before she followed [redacted] into their house.

Ms. [redacted] said she and her [redacted] were the only persons in their front yard. She said her [redacted] walked to and from the backyard. She said she retrieved a towel from her house for the female deputy (Deputy Dilelio) who was effected by the OC spray.

Ms. [redacted] said that she did not see the Suspect's [redacted] ([redacted]) during the incident. She said she did not hear the [redacted] or any other female yell or scream at the deputies to stop. She said when she heard the Tasers activating she did not hear any talking and it was, "Kinda of weird to me, was, how quiet it was."

Ms. [redacted] said on the night in question, their personal vehicle was parked in the driveway, but once she learned paramedics were en route, she moved the car from the driveway.

IAB Note: See Exhibit "A" pages 80-82 and pages 94-95 for Homicide's summary of Ms. [redacted] interviews.

[redacted]

Ms. [redacted] was interviewed on February 15, 2009 by Deputy G. Cruz # [redacted]. The interview was documented in a supplemental report. The following is a summary of that interview.

Ms. [redacted] said on the night of the incident she was standing on her porch ([redacted]) when she saw the nude Suspect running southbound on Dunrobin Ave with a white male and a Hispanic female following the Suspect. She said the Suspect stopped in the middle of the street and laid face down.

Ms. [redacted] said the Suspect banged his body on the street and she heard him say, "Get these voices out of my head." She said the male and female appeared to know the Suspect and attempted to cover him with a blanket.

Ms. [redacted] said the first deputies arrived and the Suspect ran eastbound on Silva Street. She said her friend, [redacted], who was visiting her also saw the Suspect acting odd.

IAB Note: See Exhibit "A" pages 25-26 for a supplemental report authored by Deputy Cruz documenting his interview of Ms. [redacted].

[redacted] (Lakewood Station Volunteer)

Mr. [redacted] was interviewed by Homicide Detectives Harris and Rodriguez on February 18, 2009. The interview was recorded for review and the following is a summary of that interview.

Mr [redacted] said he had been a volunteer at Lakewood Station for the past fifteen years. He said he was working on the night in question with Deputy Herrera as unit 132T2. He said they were [redacted] when he heard a 415 call on Dunrobin and Silva Street. He said Deputy Roam requested additional units and a sergeant to her location and they drove to the Silva Street location.

Mr [redacted] said they arrived at the house on Silva Street and they walked up the driveway. He said he stopped at the gate leading to the backyard where he saw Deputy Dilelio exit the backyard. He said Deputy Dilelio was coughing and had tears in her eyes. He could smell OC spray in the air and he felt discomfort. He said Deputy Herrera stopped at the gate.

Mr [redacted] said Deputy Dilelio told him she was overcome by OC spray and he attempted to help her by fanning her face. He said minutes later, Deputy Herrera entered the backyard and he followed him, leaving Deputy Dilelio outside of the gate. He said they joined Deputy Roam south of the gate and he saw the Suspect pacing around the backyard. He said the Suspect was nude and had dirt on his chest and legs.

Mr [redacted] said the Suspect was a large man and was not acting rational. He said he was afraid the Suspect would charge at him, so he remained at the open gate. He said at one point the Suspect stepped towards Deputies Roam and Herrera and he heard Deputy Roam say, "I need a Taser, I need a Taser."

Mr [redacted] said he exited the backyard and asked Deputy Dilelio for her Taser. He noticed the Taser cartridge had been used and there were no extra cartridges available. He said he then checked Deputy Dilelio's patrol car for another Taser, but did not find one. He said he returned to the back yard and saw Deputies Roam and Herrera containing the Suspect there.

Mr [redacted] said he then walked to the corner of Dunrobin and Silva to direct additional units to the house on Silva Street. Subsequently, he said he returned to the backyard where he heard Tasers activating as he approached the yard. He said he entered the backyard and saw the Suspect standing in the south portion of the yard. He said a deputy was activating a Taser and the Suspect fell to the ground on his stomach.

Mr [redacted] said he saw four or five deputies struggling with the Suspect and attempting to handcuff him. He said he heard a Taser activating and deputies struggling with the Suspect. He said the Suspect resisted the deputies attempts to control him. He said, subsequently, the deputies handcuffed the Suspect using three handcuffs and placed him on his side.

Mr [redacted] said Deputy Roam checked the Suspect vital signs and she said the he was not breathing. He said a deputy requested paramedics and deputies started CPR. He said he ran to his car to retrieve a CPR mask and he returned to the back yard. He said the mask he retrieved did not work and deputies used a different mask provided by other deputies.

Mr [redacted] said he exited the backyard and moved patrol cars so paramedics could drive into to the location. After he moved the cars, he said he took a position at the corner of Dunrobin and Silva Street. He said it took a long time for the Fire Department to arrive at the scene. He said he heard the sounds of sirens approach the location and then fade away as if the passed Dunrobin.

IAB Note: See Exhibit "A: pages 48-51 for Homicide's summary of their interview with Mr. [redacted].

[redacted] (Lakewood Station Volunteer)

Mr. [redacted] was interviewed by Homicide Detectives Harris and Rodriguez on February 18, 2009. The interview was recorded for review and the following is a summary of that interview.

Mr. [redacted] said he has been a volunteer for the Sheriff's Department for over eight years, [redacted] and the last two and a half years at Lakewood Station. He said he was in briefing preparing for his [redacted] shift when he heard emergent radio call on Silva Street.

Mr. [redacted] said he followed deputies out of briefing and entered a patrol car with an unknown deputy. They drove to Silva Street and he saw approximately 15 patrol cars on the street. He said he walked up the driveway and stopped near the gate. He said a deputy asked him to move patrol cars away from the house so the Fire Department could gain access to the location.

Mr. [redacted] said he after moved patrol cars he talked to Volunteer [redacted] at the corner of Silva and Dunrobin for a few minutes. He said he then walked back to the driveway and gate area where he saw Deputy Hinojosa exit the backyard. He said Deputy Hinojosa had "dry heaves" and appeared to be sick.

Mr. [redacted] said he retrieved paper towels from an adjacent house and gave them to Deputy Hinojosa. He said he followed Deputy Hinojosa to the backyard and he saw paramedics working on the Suspect.

IAB Note: See Exhibit "A: pages 47-48 for Homicide's summary of their interview with Mr. [redacted].

IAB Note: See Exhibit "A" for a CD containing all of homicide's recorded interviews.

SUSPECT STATEMENTS

None